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Section 1.100 Title.

The ordinance shall be known and may be cited as the “Zoning Ordinance of the City of Glendale, Arizona.” Within the ordinance text, it shall be cited as “this ordinance.”
(Ord. No. 1772, 7-23-93)

Section 1.200 Authority and Purpose.

1.201 Authority.

This ordinance is adopted pursuant to the authority contained in Section 9-462.01 et seq., of the Arizona Revised Statutes in order to conserve and promote the public health, safety and general welfare.
(Ord. No. 1772, 7-23-93)

1.202 Purpose.

The purpose of this ordinance is to establish land use classifications dividing the city into various zoning districts; provide regulations, prohibitions and restrictions for the promotion of health, safety, convenience, aesthetics and welfare; govern the use of land for residential, commercial, office, industrial and all other uses; regulate and limit the height and bulk of buildings and other structures; limit the occupancy and size of yards and open spaces; establish performance and design standards; establish boards and commissions and define the powers and duties of each; provide procedures for changing zoning districts and the standards which govern those districts, use permits, variances and all other permits required by this Zoning Ordinance; prescribe penalties for violations of the ordinance and repeal all ordinances in conflict therewith.

(Ord. No. 1772, 7-23-93)

1.203 Jurisdiction.

This ordinance shall be effective within the incorporated boundaries of the City of Glendale.

(Ord. No. 1772, 7-23-93)

1.204 Repealer and Severability.

A. Ordinance No. 243 New Series and all subsequent amendments to Ordinance No. 243 are repealed. Ordinance No. 184 New Series, creating and establishing the Glendale Zoning and Planning Commission, is repealed. Ordinance No. 1407 New Series, creating mobilehome parks and mobilehome subdivisions is repealed. This ordinance amends and revises all zoning laws, regulations, procedures and restrictions. Whenever any provision of this ordinance refers to or cites a section of the Arizona Revised Statutes and that section is later amended or superseded, the ordinance shall be deemed amended to refer to the amended section or section that most nearly corresponds to the superseded section of the Arizona Revised Statutes.

B. The provisions of this ordinance, insofar as they are substantially the same as the provisions of ordinances repealed in Subsection A of this section, shall be construed as restatements and continuations thereof and not as new enactments. The repeal of an ordinance listed in Subsection A of this section shall not affect any punishment or penalty incurred before the ordinance was repealed, nor any suit, prosecution or enforcement proceeding pending at the time of the repeal for a violation of the ordinance repealed.

C. It is declared that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any such section, paragraph, sentence, clause or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this ordinance other than the part decided to be unconstitutional or invalid.

(Ord. No. 1772, 7-23-93)

1.205 Conflict With Other Rules or Regulations.

It is not intended by this ordinance to repeal, abrogate, annul or in any manner impair or interfere with existing provisions of other laws or ordinances, except those specifically repealed by this ordinance, or with private restrictions placed upon property by covenant, deed or other private agreement. Where this ordinance imposes a greater restriction on land, buildings or structures than is imposed or required by other existing provisions of law, ordinance, contract or deed, the provisions of this ordinance shall control. Where other laws, ordinances, or private restrictions are more restrictive, the City cannot enforce the more restrictive laws, ordinances, or private restrictions as a part of this Zoning Ordinance unless authorized by a specific section of this ordinance.

(Ord. No. 1772, 7-23-93)

1.206 Relationship to General Plan.

It is the intention of the City Council that this ordinance implement the planning policies adopted by the Planning Commission and City Council as reflected in the General Plan. The City Council affirms its commitment that this ordinance and any amendments will be in

conformity with the adopted planning policies as expressed in the General Plan, specific area plans, and any amendments.
(Ord. No. 1772, 7-23-93)

1.207 Relationship to Subdivision and Other Regulations.

The Zoning Ordinance, along with other regulations of the City of Glendale, including the Subdivision and Minor Land Division Ordinance and Design Guidelines for Site Development and Infrastructure Construction, as amended, is a tool to implement the Glendale General Plan. In regulating future development or redevelopment within the City of Glendale, the requirements of the Zoning Ordinance shall be construed as minimum requirements.
(Ord. No. 1772, 7-23-93)

1.208 Applicability.

A. All buildings, structures and uses of land shall be subject to all provisions of this Zoning Ordinance. Any change to an existing building, structure or use of land, as manifested by a use which requires an increase in parking, change in occupancy, changes to the physical site including drainage or landscaping, additions or modifications to the building after the effective date of this Zoning Ordinance, or any amendment shall be subject to all provisions of this Zoning Ordinance.

B. A Planned Area Development (PAD), or Planned Residential Development (PRD) Plan, approved prior to this ordinance, will guide and control development uses permitted for such property. The provisions of this ordinance will apply if a prior plan approved has expired.

C. Any use not described and included by this ordinance as being a permitted use, a use subject to conditions, or a use subject to conditional use permit within a specific zoning district is prohibited within that zoning district, and is a violation of this ordinance. Such use shall only be allowed within that zoning district following an amendment to this ordinance in accordance with the procedures prescribed in Section 3.800.
(Ord. No. 1772, 7-23-93)

Section 1.300 Compliance.

1.301 Generally.

A. If any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of the provisions of this Zoning Ordinance or any amendment, the City may use any one (1) or more of the following actions:

1. Issue an order of abatement;
2. Issue a Notice and Order to Comply;
3. Pursue criminal prosecution;
4. Issue a civil citation; or
5. Seek an injunction from Superior Court.

B. No building permit may be lawfully issued nor shall a Certificate of Occupancy be granted until the Planning Director or his designee has given authorization indicating all requirements of this Zoning Ordinance, all conditions and stipulations of approval, and any other specific project related requirements have been met.

C. Violation of stipulations, conditions of approval, or any other requirement of this Zoning Ordinance, of an administratively issued permit, or conditional use permit is a violation

of this ordinance and shall subject such permit to revocation if the violation is ongoing or repeated. Revocation of any such permit may be made by the approving entity after notice and hearing.

(Ord. No. 1772, 7-23-93)

1.302 Enforcement and Penalties.

A. The Planning Director shall be responsible for the enforcement of this Zoning Ordinance.

B. Any person, firm or corporation violating any provision of this Zoning Ordinance, or any amendment shall be guilty of a Class I misdemeanor, punishable by a fine or imprisonment, or by both fine and imprisonment. Any such person, firm or corporation shall be deemed guilty of a separate offense for each and every day during which any violation is committed, continued or permitted. The owner, lessee, tenant or other person in possession of any property used in violation of this Zoning Ordinance shall be responsible for any violation whether or not the owner or any related party has committed the prohibited act or acts or has neglected to prevent the performance of the prohibited act or acts by another person.

C. In addition to, or independent of the penalties provided above, the City may bring a civil proceeding in a court of competent jurisdiction to enforce compliance with the terms of the Glendale Zoning Ordinance or to prevent, restrain or abate any violation of the terms of the Glendale Zoning Ordinance.

D. Any violation of this ordinance or of conditions or stipulations of issuance of any administrative or conditional use permit or variance is declared to be a public nuisance, and instead of, or in addition to, any other criminal or civil enforcement measure authorized by this ordinance, may be enjoined or restrained by the City as other nuisances are abated under authority of the City Charter and applicable State Law.

(Ord. No. 1772, 7-23-93)

Section 1.400 Nonconforming Buildings, Structures, Uses, and Lots.

1.401 Generally.

A. This article provides for the regulation of nonconforming buildings, structures, uses and lots. These regulations are designed to protect the rights of legally existing nonconforming uses, structures and buildings, but not promote expansion or enlargement. The site, building, structure or use will be encouraged to convert to a conforming use in the future.

B. Any use or activity lawfully conducted under County zoning regulations at the effective date of annexation or under previous zoning regulations in effect at the adoption of this ordinance, or any amendment, shall be considered a legal nonconforming use under this ordinance.

C. The City Council, by ordinance, may authorize the acquisition of private property by purchase or condemnation for removal of nonconforming uses and structures.

(Ord. No. 1772, 7-23-93)

1.402 Limitations on Nonconforming Buildings and Uses.

A legal nonconforming use may continue only in the manner and to the extent that it existed at the time of such enactment, amendment, or annexation, subject to the following provisions:

A. No structural or physical alteration shall be made to any nonconforming building, structure, or lot except when required by law or ordinance. This requirement does not prohibit routine repairs or maintenance.

B. No expansion shall be made of any nonconforming building, structure, or use unless such expansion conforms to the regulations specified for the district in which it is located. In cases where the nonconforming use occupies a building, structure, or any portion of a site, expanding the use into additional building or land area shall constitute an extension and shall not be allowed.

C. Any nonconforming building, structure, or use, or one (1) or more of a group of nonconforming buildings or structures related to one (1) industry and under one (1) ownership, which has been damaged by fire, flood, explosion, earthquake, war, riot, or act of God, may be reconstructed and used as before, if done within twelve (12) months of such calamity. The City Council, after review and recommendation by the Planning Commission, may determine that such delay in reconstruction was caused by unforeseen circumstances beyond the control of the owner of the premises and permit a reasonable extension of time for reconstruction. Any district requirements may be waived by the City Council provided the area restored is not more nonconforming than existed at the time of the calamity.

D. No nonconforming building, structure, or use which ceases to be used for a period exceeding one (1) year or is superseded by a conforming use, shall again be devoted to the nonconforming use except as otherwise provided in the preceding paragraph. A nonconforming use shall not be changed to a different nonconforming use. This shall not prevent a name change or change in ownership of the same nonconforming use.

(Ord. No. 1772, 7-23-93)

1.403 Nonconforming Lots.

Any legal lot existing at the time of the enactment of this ordinance, or any amendment, which does not conform with lot area, lot width, or lot depth for the zoning district in which it is located, may be used for any use permitted in that zone district provided all other applicable regulations of this Zoning Ordinance are complied with.

(Ord. No. 1772, 7-23-93)

1.404 Development Standards.

Development standards relate to the size, configuration, and character of development. Development standards include, but are not limited to, items such as parking, landscaping, buffer areas, and setback. Developed property may be nonconforming because the development of the property does not meet current Zoning Ordinance requirements. Property which is nonconforming, due to deficiencies in development standards, shall be regulated as follows:

A. No change of use or change to a building structure shall be permitted which creates a deficit or increases an existing deficit in off-street parking spaces, loading areas, or other development standards.

B. Any site which is nonconforming due to deficiencies of development standards and which require design review shall, as a requirement of design review, be brought into conformance including, but not limited to, development standards for parking, circulation, driveways, drainage, storage, screening, and landscaping, with the Zoning Ordinance and other applicable codes before any design review can be approved.

(Ord. No. 1772, 7-23-93)

Section 2.100 Rules of Construction.

For the purpose of carrying out the intent of this Zoning Ordinance, certain terms or words used herein shall be interpreted or defined as follows:

A. Words used in the present tense include the future, words used in singular include the plural and words in the plural include the singular.

B. The word “shall” is mandatory.

C. The word “person” includes an individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, or any other group or combination acting as a singular entity, including the federal and state government, another City, county, or school district, except as exempt by law.

D. The following words or terms when applied in this ordinance may be used interchangeably unless contrary to the circumstances: lot, plat, parcel or premises; “used” or “occupied” as applied to any land or building shall be construed to include the words, “intended, arranged or designed to be used or occupied”; and “building” applies to the word “structure.” (Ord. No. 1772, 7-23-93)

Section 2.200 Commonly Abbreviated Terms.

The term “City” shall mean the City of Glendale; “Council” shall mean the Council of the City of Glendale; “Commission” shall mean the Planning Commission; and “Board” shall mean the Board of Adjustments.

(Ord. No. 1772, 7-23-93)

Section 2.300 Definitions.

For the purpose of this ordinance the following words and phrases shall have the following meanings:

Accessory Building: A detached building whose use is customarily incidental to that of a principal use of the main building or premises.

Accessory Use: A subordinate use of a building or land customarily incidental to and conducted on the same lot with the principal use which does not alter the character of the principal use or adversely affect other properties within the district.

Acreage, Gross: The acreage within the perimeter of a development tract, plus one-half (1/2) the right-of-way of all adjoining streets and alleys.

Adult Arcade: Any place to which the public is permitted wherein money-operated, token-operated or credit-operated, or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five (5) or fewer persons per machine in any viewing room of one hundred fifty (150) square feet or less at any one (1) time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult Bookstore or Novelty Store: Any commercial establishment:

- A. Which as one (1) of its principal business uses offers for sale or rental, for any consideration, any of the following:
1. Books, magazines, periodicals or other printed materials, which depict or describe specified sexual activities or specified anatomical areas; or
 2. Films, video cassettes or other video reproductions depicting specified sexual activities or specified anatomical areas; or
 3. Instruments, devices or paraphernalia which are designed for use in connection with specified sexual activities, excluding condoms and other birth control and disease prevention products; and
- B. Which regularly excludes all minors from the premises because of the sexually explicit nature of the items sold, rented or displayed therein.
- C. For purposes of this definition, twenty-five percent (25%) or more of the establishment's merchandise constitutes a principal business use.

Adult Business or Sexually Oriented Business: Any adult arcade, adult bookstore, or novelty store, adult cabaret, adult motel, adult theater, nude model studio, semi-nude business, or topless bar.

Adult Cabaret: Any nightclub, bar, restaurant or other commercial establishment which features live performances or activities on the business premises that are characterized by the exposure of specified anatomical areas or by specified sexual activities; provided that a nude model studio is not an adult cabaret, the term "adult cabaret" is intended to apply to businesses which emphasize and seek, through the conduct of any employee or performer, to arouse or excite any patron's sexual desires. Nothing in this definition shall be construed to apply to the presentation or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher education or similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Adult Care Home: A long-term residential care service, licensed by the State Department of Health Services, functioning as a single housekeeping unit in an environment in which staff persons provide supervision, personal care, meals, education, and participation in community activities of not more than ten (10) adult residents who are unrelated to the manager or owner of the adult care home and who require the assistance of not more than one (1) person to walk to or transfer from a bed, chair or toilet, but who are able to self-propel a wheelchair. An adult care home does not include group homes for the disabled, nursing homes, shelter facilities, medical institutional uses, alcoholism or drug treatment centers, or community correctional facilities. This definition shall not apply to a home for the developmentally disabled as regulated by A.R.S. § 36-582 to the extent of state preemption of local zoning regulations.

Adult Motel: Any hotel, motel or similar commercial establishment which:

- A. Offers accommodations to the public for any consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and

has a sign visible from the public right-of-way which advertises the availability of such photographic reproductions; or

B. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or

C. Allows a tenant or occupant of a sleeping room to rent the room for a period of time that is less than ten (10) hours.

Adult Theater: Any business establishment, other than an adult arcade or adult motel, used regularly for the business of exhibiting films, video cassettes or other video reproductions depicting specified sexual activities or specified anatomical areas, and from which all minors are regularly excluded because of the sexually explicit nature of such films, cassettes or reproductions.

Airport Impact Overlay Area One (AIO-1): Means the area between the sixty-five (65) ldn and seventy (70) ldn noise contour lines developed by the application of day/night average sound level methodology of sound measurement (ldn).

Airport Impact Overlay Area Two (AIO-2): Means the area between the seventy (70) ldn and seventy-five (75) ldn noise contour lines developed by the application of day/night average sound level methodology of sound management (ldn).

Airport Impact Overlay Area Three (AIO-3): Means the area of seventy-five (75) ldn and greater noise levels as developed by the application of day/night average sound level methodology of sound measurement (ldn).

Alley: A public thoroughfare other than a street which affords a secondary means of vehicular access to abutting property.

Alteration: Any architectural, mechanical, or structural change to a building which requires a permit under the Building Code of the City.

Alternative Design Tower: Artificial trees, clock towers, and similar non-traditional structures that are compatible with the existing setting or structures and camouflage or partially conceal the presence of antennas or towers. This includes any antenna or antenna array attached to the alternative design structure.

Alternative Tower Structure: Ball field light poles, street lights, electric utility poles, water towers and similar existing structures. This includes any antenna or antenna array attached to the alternative tower structure.

Amateur Radio Tower: A free-standing or building-mounted structure, including any base, tower or pole, antenna and appurtenances, intended for airway communication purposes by a person holding a valid amateur radio (HAM) license issued by the Federal Communications Commission.

Antenna: The surface from which wireless radio signals are sent from and received by a wireless communication facility. Antenna includes whip antenna, panel antenna, and dish antenna. Any antenna not specifically described herein shall be regulated in conformity with the type of antenna described herein which most closely resembles such antenna.

A. Whip antenna is a long and thin device that transmits and/or receives radio frequency signals in a three hundred sixty (360) degree radial pattern. Typically size is two (2) to six (6) inches in diameter and one (1) to eighteen (18) feet in height.

B. Panel antenna is a relatively flat rectangle device that transmits and/or receives radio frequency signals in a directional pattern of less than three hundred sixty (360) degrees. Typical size is four (4) to five (5) feet high, six (6) to twelve (12) inches wide, and six (6) to eight (8) inches deep.

C. Dish antenna is a bowl-shaped device for the reception and/or transmission of radio frequency communication signals in a specific directional pattern. Typical size is four (4) to six (6) feet in diameter, and one (1) to three (3) feet deep.

Antenna Array: One (1) or more whip, panel, or dish antennas used for the transmission or reception of radio frequency signals. The antenna array does not include the support structure.

Antique Shop: A retail business specializing in the sale of merchandise made in, or typical of, a previous era. Typical merchandise includes, but is not limited to, furniture, silverware, glassware, and other collectibles. Items shall not be donated for resale, but may be displayed on consignment.

Archaeological Resources: Any material remains of past human life, activities, or habitation which are of historic or prehistoric significance. Such material includes, but is not limited, to pottery, basketry, bottles, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, skeletal remains, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of the foregoing items.

Attached Building: A building which has any part of its exterior or bearing wall in common with another building or which is structurally integrated with the main building.

Automated Collection Center: A self-contained machine to collect and weigh recyclable consumer materials, to reimburse mechanically the depositor of the materials, and to store temporarily the materials before shipment to a recycling center.

Automobile Service Station: A convenience use having pumps and storage tanks from which fuel is dispensed into motor vehicles and the servicing of motor vehicles, including tire repair, minor engine repair, battery changing, storage of merchandise and supplies relating to the servicing of motor vehicles, sale of lubricants, automobile washing and lubrication but excluding major automobile engine or transmission repairs, body work, or other similar activities.

Bar: (See "Cocktail Lounge").

Bed and Breakfast Establishment: A dwelling in which five (5) or fewer guest rooms are provided for the overnight lodging of travelers which is occupied by a resident manager or owner. Any dwelling in which more than five (5) guest rooms are provided shall be deemed a hotel.

Boardinghouse: A dwelling in which three (3), four (4), or five (5) sleeping rooms are provided which serve as the principal residence of the occupants. A common dining room may be provided for the residents.

Building: A permanently located structure having a roof supported by columns or walls.

Building Codes: The various codes of the City which regulate construction and require building permits, electrical permits, mechanical permits, plumbing permits, and other permits to do work regulated by chapter 9 of the City Code pertaining to building and building regulation.

Building Coverage: That portion of a lot or building site which is occupied by any building or structure, regardless of whether such building or structure is intended for human occupancy.

Building Height: The vertical distances measured from the finished grade level to the highest level of the building.

Building-Mounted Antenna: Any antenna that is attached to the wall of, or integrated into buildings, church steeples, cooling towers, elevator bulkheads, parapets, or penthouses.

Building Permit: An authorization to construct a structure as issued by the Building Safety Department and authorized by the Planning Director.

Building, Principal: A building which houses the principal use of the lot.

Building Setback Line: The required distance between the property line and the closest point of any building or structure.

Business Support Services: Establishments which primarily provide goods and services to other businesses including, but not limited to, minor job printing, duplicating, binding and photographic processing, office security, maintenance and custodial services, and office equipment and machinery sales, rentals, and repairing, but no manufacturing of any products.

Carport: A permanent roofed structure with not more than two (2) enclosed sides used or intended to be used for automobile shelter.

Child: Any person through the age of fourteen (14) years.

Child Care: The care, supervision and guidance of a child or children, unaccompanied by parent, guardian or custodian, on a regular basis, for periods of less than twenty-four (24) hours per day, in a place other than the child's or children's own home or homes.

Child Care Center: Any facility in which child care is regularly provided for compensation for five (5) or more children not related to the proprietor. The proposed child care facility shall meet all requirements for certification by the State Department of Health.

Children's Residential Care Facility: A residential care facility with a minimum floor area of fifty thousand (50,000) square feet, minimum parcel size of seven (7) acres, limited to an independent structure, licensed by the State of Arizona, which provides short or long-term care including lodging, meals, special education programs and counseling to children. Residential care is typically between one (1) week and eighteen (18) months.

Clinic: A medical facility for the diagnosis and treatment of human patients which may include emergency service, but not overnight housing of patients.

Cocktail Lounge: An establishment where the primary use is to serve spirituous liquors to be consumed on the premises. Food may be served as a secondary use.

Co-location: The use of a single mount and/or site by more than one wireless service provider.

Commercial Kennel: Any establishment at which dogs, cats, or other small animals are commercially cared for, bred, boarded, or trained. Cat and dog hospitals, veterinarian's clinics and hospitals, and small animal grooming facilities are separately regulated.

Community Correctional Facility: A facility that provides lodging, meals, counseling, treatment, and rehabilitation to adjudicated delinquents, parolees, and individuals in pre-release (transitional) or diversionary programs from, or in lieu of confinement in, correctional institutions. The facility may also provide educational instruction or training.

Congregate Care Facility: A long-term residential facility for elderly persons within which are provided living and sleeping rooms, a common dining room, laundry services, and room cleaning. Such facilities may also provide other services such as transportation for routine social and medical appointments.

Convenience Use: Convenience uses are commercial activities, which have relatively high traffic generation compared to other commercial uses. A use is designated as a "convenience use" if the method of operation includes one (1) or more of the following characteristics:

- A. Retail gasoline is sold.
- B. The primary business is the sale of food or drink for consumption, either on or off premises, over a counter, or from an outdoor service window or automobile drive-thru service window. Of the food or drink sold, at least twenty (20) percent is in disposable, carry out, or edible containers.
- C. Stores less than seven thousand five hundred (7,500) square feet where food and drink is sold primarily for consumption off premises.
- D. Car washes (self-service and/or automated).

E. Any commercial use with service designed to be accessed by occupants of a vehicle.

Day/Night Sound Level (Ldn): A cumulative aircraft noise index that estimates the exposure in decibels of noise by a weighted sound-level meter for a certain geographic area during a twenty-four (24) hour period.

Deferred Presentment Company: A business that makes transactions pursuant to a written agreement in which the licensee accepts a check and agrees to hold the check for at least five (5) days before presentment for payment or deposit. The service provided is commonly known as a “payday loan”.

Demolition: Any act or process which requires a building permit under the Building Code of the City which destroys in part or in whole a house, building, or other structure.

Density, Gross: Gross acreage divided into the number of dwelling units, lots, or spaces.

Density, Net: Net acreage, excluding streets, alleys, and other rights-of-way divided into the number of dwelling units, lots, or spaces.

Disabled: A person who (1) Has a physical or mental impairment that substantially limits one or more of such person’s major life activities so that the person is incapable of living independently; (2) Has a record of having such an impairment; or (3) Is regarded with having such an impairment. However, disabled shall not include current illegal use of or addiction to controlled substances (as defined in Section 102 of the Controlled Substances Act [21 U.S.C. § 802], nor shall it include any person whose residency in a group home would constitute a direct threat to the health or safety of other individuals or would result in substantial physical damage to the property of others.

Downtown Promotional Banner: A temporary decorative banner used to promote city-authorized special events within the downtown.

Drive-in Theater: An open-air theater designed for viewing by the audience from motor vehicles.

Dwelling, Multiple-Residence: A building containing two (2) or more housekeeping units.

Dwelling, Single-Residence: A building containing only one (1) housekeeping unit.

Dwelling Unit: A room or group of rooms within a building containing cooking accommodations and designed to be occupied exclusively by a single housekeeping unit.

Equipment Shelter: A cabinet or building located at the base of or near a wireless communication facility within which are housed, among other things, batteries and electrical equipment. This equipment is connected to the antenna by cable.

Fence Height: Fence or wall height shall be measured as follows:

A. Where a fence faces a public street, highway or alley, height shall be measured from the top of the curb, or where no curb exists, the center line of the street, highway, or alley. (See Figure D-1).

B. Where a fence or wall is between two (2) properties, the height shall be the average measured from each side of the base of the fence as established at the time of final grading. (See Figure D-2).

C. A retaining wall will be counted as part of the total wall or fence height where the retaining wall is no greater than two (2) feet horizontal distance from the wall or fence. Where a retaining wall is greater than two (2) feet distance from the fence or wall, the fence or wall height shall be measured from the base of the fence or wall. (See Figure D-3).

Floor Area, Gross: The combined area of the floor(s) within the exterior walls of a building. The following are excluded from the floor area:

- A. Accessory parking lots and structures.
- B. Attic area with head room less than seven (7) feet.
- C. Enclosed exterior stairways.

Floor Area Ratio: The ratio of gross floor area to the total net area of the parcel expressed as a percent or decimal. Any area included within a basement where the floor level is at least five (5) feet below the adjoining finished grade shall be subtracted prior to calculation of the floor area ratio. Where rounding of numbers is necessary to determine floor area ratio, the nearest one hundredth (.00) shall be used. (See Figure D-4).

Foster Home: A home occupied as a primary residence by an individual or individuals having the care or control of one (1) or more but not more than three (3) minor children, other than those related to each other by blood or marriage, or related to such individuals, or who are legal wards of such individuals. Such facility must be licensed by the Arizona Department of Economic Security.

Group Home for the Disabled: A dwelling shared as their primary residence by at least six (6) but not more than ten (10) handicapped or disabled persons who are not related to the owner or manager of the group home for the disabled and who reside together as a single housekeeping unit, in which staff persons may provide supervision, personal care, meals, education, participation in community activities, counseling, treatment or therapy for the residents thereof, and which may be licensed by, certified by, registered with, or otherwise authorized, funded or regulated, in whole or in part, by an agency of the state or federal government. This definition shall include homes for the chronically mentally ill, group care agencies, and similar residential living arrangements for handicapped or disabled persons. A group home for the disabled does not include adult care homes, nursing homes, shelter facilities, medical institutional uses, alcoholism or drug treatment centers, or community correctional facilities. This definition shall not apply to a home for the developmentally disabled as regulated by A.R.S. §36-582 to the extent of state preemption of local zoning regulations.

Guest House: Living quarters for guests, or servants on the premises in an accessory building or attached to the principal residence.

Handicapped: (See “Disabled”).

Heliport: Any helistop which also includes all necessary passenger and cargo facilities; helicopter maintenance and overhaul, fueling service, storage, tiedown areas, hangars, and other necessary buildings and open spaces. Heliports include any of the uses of helistops.

Helistop: A designated landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging passengers or cargo. No fueling or service facilities are permitted.

Home Child Care Center: Any single residence dwelling in which child care is regularly provided for compensation for five (5) or more, but not more than ten (10) children not related to the proprietor. The proposed child care center shall meet all requirements for certification by the State Department of Health.

Home Occupation: Any occupation or profession conducted from a principal residence in a residential zoned district, as an accessory use.

Hospital: A medical facility for the diagnosis and treatment of human patients including overnight housing of patients.

Hotel/Motel: A building which provides six (6) or more guest rooms for the lodging of travelers and other temporary residents, and may include customarily incidental uses such as meeting rooms, restaurants, and cocktail lounges.

Household Pets: Small animals which are customarily kept as household pets or which are generally trainable and readily adaptable to urban residences. Household pets may include small domestic animals as well as other nontraditional pets and exotic animals.

Housekeeping Unit: One (1) or more individuals living, sleeping, and cooking in a single dwelling unit who share housekeeping tasks and responsibilities as an interdependent unit.

Junk Yard: The use of any portion of any lot, whether inside or outside a building, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk including scrap metal or other scrap materials.

Juvenile Group Home: A foster home suitable for the placement of more than three (3) but not more than ten (10) minor children that is licensed by the Arizona State Department of Economic Security; or a dwelling otherwise occupied as a primary residence by an individual or individuals having care, control or custody of more than three (3) but not more than ten (10) persons under the age of eighteen (18) who are not related to the owner or manager of the juvenile group and who reside together as a single housekeeping unit, in which staff persons may

provide supervision, personal care, meals, education, participation in community activities, counseling, treatment or therapy for the residents thereof, and which may be licensed by, certified by, registered with, or otherwise authorized, funded or regulated, in whole or in part, by an agency of the state or federal government. Regular or ongoing on-site counseling, therapy or medical treatment is not permitted in a juvenile group home. A juvenile group home does not include shelter facilities, medical institutional uses, alcoholism or drug treatment centers, or community correctional facilities.

Laboratory: A place devoted to experimental study such as testing and analyzing, but not including manufacturing of products.

Ldn Contour: A line linking together a series of points of equal cumulative noise exposure based on the day/night sound level (Ldn) metric. Such contours are developed based on aircraft flight patterns, number of daily aircraft operations by type of aircraft and time of day, noise characteristics of each aircraft, and typical runway usage patterns.

Living Area: The occupied portion of a residence occupied, including interior areas and exterior porches, not including a garage or carport.

Loading Space: An off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

Lodge and Fraternal Associations: An association of persons, whether incorporated or not, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Lot: A parcel of land, or contiguous parcels under one (1) ownership with frontage or access to a public street, occupied or designed to be occupied as a unit and which has been established by plat, subdivision, or otherwise lawfully permitted.

Lot, Corner: A parcel of land located at the intersection of two (2) or more streets.

Lot Depth: The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line. (See Figure D-5).

Lot, Interior: A lot other than a corner lot.

Lot Line:

- A. Front. The lot line adjacent to the street, except as follows:
 - 1. Corner lot. The shorter of the two (2) lot lines adjacent to the street shall be the front lot line. The other street frontage shall be the corner side lot line.
 - 2. Through or double frontage lot. The lot line which is obviously the front by reason of the prevailing custom of the other buildings on the block. The other street frontage shall be a rear lot line. Where such frontage property line is

not obviously evident, the planning director shall determine the front property line.

B. Rear. The lot line most nearly opposite to the front property line. In the event that the front property line is a curved line, then the rear property line shall be the lot line most nearly opposite a line used to determine front setback line tangent to the front property line at its midpoint.

C. Side. Those other lot lines not defined as a front or rear lot line.

Lot, Through or Double Frontage: A lot which abuts upon two (2) parallel or approximately parallel streets or which abuts upon two (2) streets which do not intersect at the boundaries of the lot.

Lot Width: If the side property lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width of the lot shall be the width of the lot at its front setback line.

Major Medical Center: A full service hospital and a medical campus of affiliated uses on at least ten (10) acres.

Minor Work: Any change, modifying, restoring, rehabilitating, renovating, surfacing, or resurfacing of the features of historic property which does not materially change the historic characteristics of the property.

Mobile Home: A vehicular portable home designed and built for long-term residential occupancy. A mobile home shall be not less than eight (8) feet in width and thirty-two (32) feet in length, and shall be classified as a mobile home whether or not its wheels, rollers, skids, or other rolling equipment have been removed, or whether or not any addition thereto has been built on the ground, and:

A. Contains sleeping accommodations, a flush toilet, a tub or shower, and kitchen facilities with plumbing and electrical connections provided for attachment to outside systems.

B. Designed to be transported after fabrication on its own wheels, on a flatbed, other trailers, or with detachable wheels. Such fabrication shall include a built-in metal frame and hitch for transportation.

C. Arrives at the site where it is to be occupied as a complete dwelling unit, including major appliances and furniture, and ready for immediate occupancy except for incidental unpacking and minor assembly operations, such as location on foundation supports and connection to utilities.

A prefabricated house shall not be considered a mobile home.

Mobile Home Park: Any lot, tract or parcel of land licensed and used or offered for use in whole or in part, with or without charge, for the parking of occupied mobile homes and travel trailers and used solely for living or sleeping purposes.

Mobile Home Space: A plot of ground within a mobile home park designed for the accommodation of one (1) mobile home.

Mobile Home Subdivision: A subdivision for residential use by mobile homes exclusively.

Modular Housing: Any type of dwelling unit, excluding mobile homes, which may or may not be partially fabricated off the site and delivered to the building site for final assembly and construction. The construction of dwelling units must comply with all applicable building codes and inspections.

Monopole: A tower used exclusively for wireless communication that is self-supporting with a single shaft of steel, concrete or wood.

Mount: The ground, base pad, or the structure to which a wireless communication facility is attached.

Nude, Nudity or State of Nudity: The appearance of the cleft of the buttocks, anus, genitals or areola of the female breast; or a state of dress which fails to opaquely cover the cleft of the buttocks, anus, genitals or areola of the female breast.

Nude Model Studio: Any place where a person appears nude or semi-nude, and is provided to be observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons for any consideration, the term “nude model studio” does not include a proprietary school that is licensed by this state; a college, community college or university that is supported entirely or in part by taxation; a private college or university that maintains and operates educational programs in which credits are transferable to a college, community college or university that is supported entirely or in part by taxation; or a structure to which all of the following apply:

- A. A sign is not visible from the exterior of the structure and no other advertising appears on the premises indicating that a nude or semi-nude person is available for viewing;
- B. The business does not otherwise advertise itself as an adult business;
- C. Where in order to participate in a class, a student must enroll at least three (3) days in advance of the class; and
- D. Where no more than one (1) nude, or semi-nude model is on the premises at any one (1) time.

Nursing Home: A nursing home is an extended health care facility providing lodging, meals, treatment, and skilled nursing care on a long-term basis to individuals who, because of advanced age, chronic illness, or infirmity, are unable to care for themselves.

Office: A use that provides professional, administrative, or business related services. Production, storage, distribution, or sale of goods or commodities are not included.

Open Space: An area that is intended to provide light and air and is designed for either environmental, scenic, or recreational purposes. Open space may include, but is not limited to lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and water courses.

Outdoor Sales: The display of products or services which are intended for retail or wholesale purchase not within a completely enclosed building.

Plant Nursery (Wholesale): A facility where live plants are grown or propagated for sale to retail operators.

Principal Use: The main or primary use on any lot or parcel which establishes the basic land use characteristics of the property, as opposed to an accessory use. In some instances, a property may have more than one (1) principal use.

Private Schools: Parochial schools, and other private, primary, or secondary schools certified by Arizona Department of Education, institutions of higher education including athletic fields, playgrounds, dormitories, and swimming pools accessory thereto, on the same lot or parcel of land. Private schools shall not include any type of therapeutic counseling or rehabilitation facilities.

Professional Office: Offices where services are provided that require specialized training or professional certification including but not limited to accountant, appraiser, attorney, architect, landscape architect, engineer, surveyor, stockbroker, physician, dentist, chiropractor, massage therapist, psychologist, and optometrist. No goods or merchandise are sold or exchanged.

Project: One (1) or more uses, buildings, or tenant spaces designed to function as an integral unit through shared parking and driveways, even though there may be separate ownerships and parcels.

Public Utility Facilities Required for Local Service: Local utility installations that typically include neighborhood transmission substations, vaults, water wells and tanks, and distribution equipment. Office, administrative, or fleet operations are not included at these locations.

Recreational Facilities, Indoor: Establishments providing indoor amusement or recreation. Typical uses include: martial arts studios, billiard and pool halls, electronic and coin-operated game rooms, bowling alleys, skating rinks, and health and fitness establishments.

Recreational Facilities, Outdoor: Long term facilities providing outdoor amusement and entertainment. Typical uses include miniature golf, skateboard parks, amusement parks, go cart race tracks, and batting cages.

Recreational Vehicle: A vehicular type of unit forty (40) feet or less in length and eight (8) feet or less in width, primarily designed for temporary living quarters, recreation, camping, or travel use, which either:

- A. Contains its own motive power as in the case of motor homes, minimotor homes, or recreational vans;
- B. Is drawn by another vehicle as in the case of travel trailers, tent trailers, camper trailers, or watercraft on boat trailers; or
- C. Is mounted on another vehicle as in the case of truck campers.

Recycling Center: A facility within a completely enclosed building in which recoverable resources such as newspapers, glassware, and metal cans are collected, stored, crushed, and/or bundled for transport to a reprocessing plant.

Recycling Container: A collection container that serves as a neighborhood drop-off point for temporary storage of recoverable resources. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas such as churches, parks, and schools. It is intended for household or consumer use.

Redevelopment: Any modification, alteration, remodeling, or new construction to an existing site or structure which requires a permit under the Building Code of the City of Glendale.

Residential Use: Long term occupancy of residential structures including single residence and multiple residence dwellings, dormitories, and mobile homes.

Resort Hotel: A building or group of buildings containing guest rooms providing a variety of outdoor recreation activities such as golf, tennis, horseback riding, or swimming for guests. A resort may provide services customarily furnished by a hotel including restaurant, gift shop, bar, and convention facilities. A resort may contain dwelling units in conjunction with guests' rooms.

Rooftop Mounted Antenna: An antenna that is located on top of roof and is not a wall-mount or an alternative design structure.

Satellite Earth Station: A device consisting of an antenna and reflector, having any dimension of more than one and one-half (1-1/2) meters, and is a solid or open mesh configured structure used for reception or transmission of radio energy to or from an earth orbit satellite or celestial body.

School: A place of general instruction including colleges, but not including business colleges, child care centers, dancing schools, riding academies, or specialized trade or vocational schools.

Semi-Nude or Semi-Nudity: A state of dress which shows the female breast below a horizontal line across the top of the areola at its highest point, or which shows the male or female buttocks. This definition shall not include any portion of the cleavage of the female breast exhibited by a dress, blouse, leotard, bathing suit or other wearing apparel, provided that the areola is not exposed in whole or in part.

Semi-Nude Business: Any commercial establishment, other than an adult cabaret, nude model studio or topless bar, which features employees who appear semi-nude before customers on the business premises. The term “semi-nude business” is intended to apply to businesses which emphasize and seek, through the conduct of any employee or performer, to arouse or excite any patron’s sexual desires. Nothing in this definition shall be construed to apply to the presentation or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher education or similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion of exploitation of semi-nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Setback: The required distance between the property line and the closest point of any building or structure. (See Figure D-6).

Shelter Care Facility: A short-term residential care service which provides temporary lodging, meals, and counseling to individuals and groups such as the homeless, pregnant teenagers, victims of domestic violence, neglected children, and runaways. Short-term residential care is typically less than thirty (30) days.

Sign: Any device (including, but not limited to, letters, words, numerals, figures, emblems, pictures, or any part or combination) used for visual communication which is intended to attract the attention of the public and is visible from the public rights-of-way or other properties. The term “sign” shall not include any flag, badge or insignia of any governmental unit nor shall it include any item of merchandise normally displayed within a show window of a business.

Sign, Awning: Signs which are placed on or integrated into fabric or other material canopies which are mounted on the exterior of a building.

Sign, Billboard: A sign which is intended to advertise a business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than on the property where the sign is located.

Sign, Construction or Development: A temporary sign providing information about future development or current construction on a site, and the parties involved in the project.

Sign, Directional: An on-premises sign that includes information assisting in the flow of pedestrian or vehicular traffic such as enter, exit, and one-way. (See Figure D-7).

Sign, Directory: A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings which is centrally located and intended to provide on-site directions.

Sign, Fascia: A sign which is mounted against the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

Sign, Freestanding: A sign which is erected on its own self-supporting permanent structure, detached from any supporting elements of a building.

Sign, Hospital Emergency: Freestanding identification and wall signs that either direct the public to or identify the location of a hospital emergency facility.

Sign, Identification: A sign that is designed and intended to identify only the business, place, organization, building, street address, or person on the property on which it is located.

Sign, Illuminated: A sign whose surface is artificially lighted internally or externally.

Sign, Mansard: A sign permanently affixed to a wall or surface designed to protect the edge of a roof, such surface being no more than thirty (30) degrees from vertical.

Sign, Menu: A temporary sign used to inform the public of the list of entrees, dishes, foods, and entertainment available in a restaurant.

Sign, Menu Board: A permanently mounted sign displaying the bill of fare for a drive thru restaurant.

Sign, Noncommercial: A sign which does not contain information or advertising for any business, commodity, service, entertainment, product, or other attraction.

Sign, Nonconforming: A sign lawfully erected and maintained prior to the adoption of this ordinance which does not conform with the requirements of this ordinance.

Sign, Open House Directional: A temporary sign used to advertise the sale of a house and direct traffic to the house for sale.

Sign, Parapet: A sign attached to that portion of a building's exterior wall that projects above the plate line of a building.

Sign, Political: A sign which supports any candidate for public office or urges action for or against any other matter on the ballot of primary, general, or special elections.

Sign, Portable: Any sign not affixed to a structure or ground mounted on a site.

Sign, Projecting: A sign attached to a building or other structure and extending in whole or in part more than fourteen (14) inches beyond the building.

Sign, Reader Panel: A sign designed to permit immediate change of copy either manually or electronically.

Sign, Roof: A sign erected on a roof, or signs that project above the highest point of the roof line, parapet, or fascia of the building.

Sign, Sale, Lease or Rent: A sign advertising for sale, lease, or rent the property or building upon which it is located.

Sign, Shingle: A sign suspended from, and located entirely under a covered porch, covered walkway, or an awning.

Sign, Structure: The supports and framework of the sign.

Sign, Temporary: A sign not intended or designed for permanent display.

Sign, Wall: A sign mounted flat against and projecting less than fourteen (14) inches from, or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of the wall. This does not include window signs.

Sign, Window: A sign affixed to the interior or exterior of a window, or placed immediately behind a window pane so as to attract the attention of persons outside the building.

Single Retail Use Gross Floor Area: This includes all enclosed areas which share checkstands, management, a controlling ownership interest, indoor storage areas, outdoor storage areas, loading docks and delivery areas. It also includes any outside area which provides associated services to the public such as but not limited to outdoor merchandise display or snack bar.

Small Animal Grooming Facility: An establishment at which dogs, cats, or other small animals are commercially groomed, bathed, or trimmed. There shall be no boarding or overnight keeping of any animals, and all animals shall be kept inside an enclosed, soundproofed building at all times.

Specified Anatomical Areas: Human genitals in a state of sexual arousal; the appearance of the cleft of the buttocks, anus, genitals or areola of the female breast; or a state of dress which fails to opaquely cover the cleft of the buttocks, anus, genitals or areola of the female breast.

Specified Sexual Activities: Activities that depict, describe, or relate to any of the following activities:

- A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
- C. Masturbation, actual or simulated; or
- D. Excretory functions as part of or in connection with any activities set forth in subsections A through C.

Storage Shed: One (1) story, detached accessory building used for tools and storage, playhouse, or similar use with a projected roof area of less than one hundred twenty (120) square feet.

Story: A space in a building between the surface of any floor and the surface of the next floor above, or if there be no floor above; then the space between such floor and the ceiling or roof above; provided, however, that where the floor level of the first story is at least five (5) feet below the adjoining finished grade, the space shall be considered a basement and not counted as a story.

Street: A public thoroughfare, including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare which affords the principal means of access to abutting property.

Structural Alteration: Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure: Anything constructed or erected, which requires location on the ground or attached to something having location on the ground.

Supervisory Care Facility: A facility with characteristics of a group home which has eleven (11) or more individuals.

Temporary Office or Construction Trailer: A temporary portable unit for office use which is designed to be transported, after fabrication, on its own wheels, or on a flatbed, other trailer, or have detachable wheels.

Thrift Store: A profit or nonprofit business or organization that engages in or specializes in the sale or resale of previously owned or used goods and merchandise from an area greater than twenty-five percent (25%) of the total floor area devoted to retail sales and whose merchandise is donated or principally donated. A specialty retail store which sells used merchandise not donated for sale including, but not limited to, used record stores, used book stores, used furniture stores, and sports trading cardstores, shall not be considered a thrift store for the purpose of this ordinance.

Topless Bar: Any establishment which is required to hold a liquor license under Arizona law and which offers semi-nude performers as entertainment.

Tower: A structure consisting of more than a single shaft of steel or concrete used to elevate an antenna for wireless communication or broadcasting.

Tower Height: When referring to a tower or alternative structure, the distance measured from the finished grade of the parcel to the highest point on the other structure including the base pad.

Travel Trailer: A vehicular portable home not exceeding eight (8) feet in width nor more than thirty-three (33) feet in length designed as a temporary dwelling for travel, recreational, and vacation uses. Such home shall not exceed the limits set forth by the State for movement over and upon the highways without a special permit. A travel trailer shall not include

a motor home, recreational van, tent trailer, camper trailer, watercraft on a boat trailer, or a truck camper.

Use: The purpose for which land or a building thereof is designed, arranged, or intended, or for which it is occupied or maintained, let or leased.

Vehicle Repair, Major: The service and repair of major components of vehicles including engines and transmissions. These vehicles may include automobiles, boats, motorcycles, trucks, motor homes, or travel trailers.

Vehicle Repair, Minor: An establishment which provides minor service and maintenance of the ancillary systems of vehicles including accessories, lubrication, minor repair and tune-up of engines, and/or washing and polishing services.

Warehousing and Distribution: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Wireless Communication Facility: Facility for the provision of personal wireless services as defined by the Telecommunications Act of 1996, and any amendments thereto. Wireless communication facilities are composed of two or more of the following components: antenna, mount, equipment shelter, and wall or security barrier. (Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96; Ord. No. 1947, § 1, 6-24-97; Ord. No. 2002, § 1, 4-28-98; Ord. No. 2089, § 1, 7-27-99; Ord. No. 2136, § 1, 5-9-00; Ord. No. 2176, § 1, 12-19-00; Ord. No. 2206, § 1, 7-24-01; Ord. No. 2280, § 1, 10-22-02; Ord. No. 2386, § 1, 6-22-04; Ord. No. 2532, § 1, 10-24-06)

Section 3.100 Administrative Bodies and Officers.

3.101 Planning Director.

The Planning Director shall carry out all responsibilities of the office of the Zoning Administrator as defined in Arizona Revised Statutes and set forth hereafter. Such duties include, but are not limited to:

- A. Administration and interpretation of this ordinance, including: clarification of the intent, review of land uses described and included in a zoning district, and delegation of responsibilities for administering procedures and requirements of the ordinance;
- B. Authorizing administrative relief;
- C. Enforcement of this Zoning Ordinance, and;
- D. Preparing application guidelines, forms, and administrative procedures.

Additional detail of responsibilities of the Planning Director may be provided in other specific sections of this ordinance. All decisions and interpretations by the Planning Director may be appealed to the Board of Adjustment in accordance with the procedures prescribed in Section 3.700; except as otherwise provided by this ordinance in Section 3.607 for design review decisions.

(Ord. No. 1772, 7-23-93)

3.102 Planning Commission.

A. Purpose. The Planning Commission is created to provide analysis and recommendations to the City Council related to the City's General Plan, for zoning, ordinance amendments, subdivisions and other matters affecting land use, and development within the city.

B. Organization. The Planning Commission shall consist of no less than five (5) or more than seven (7) members appointed by the City Council for terms of two (2) years each, except that in the event of the death or resignation of a member, the vacancy may be filled for the unexpired term. The members of the Planning Commission shall serve without compensation. Change of residence from the city of a member shall create a vacancy on the Planning Commission.

C. Recommendations in Writing. All recommendations made to the City Council by the Planning Commission shall be submitted in writing. A report of all business conducted by the Planning Commission shall be forwarded to City Council in the form of minutes of all regular business meetings and hearings.

D. Officers. The City Council shall select a Chairman of the Planning Commission who shall serve as Chairman for a term of one (1) year, and who shall preside at all meetings and be the head of the Planning Commission. The City Council shall select for a one (1) year term, a Vice-Chairman to act in the absence of the Chairman. The Planning Director or designee shall act as Secretary to the Planning Commission, whose duties will be to record accurate minutes of the proceedings and any such other duties as may be assigned by the Planning Commission.

E. Rules.

1. The Planning Commission shall adopt by-laws to establish rules and regulations for its governance consistent with the laws of this state, this ordinance and with the City Charter;

2. The Planning Commission shall meet at least once a month at such time and place as may be fixed by the Planning Commission;

3. Planning Commission members shall be subject to all applicable conflict of interest provisions of State law and the City Charter; and

4. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of the majority of the appointed members shall be required to approve or deny a motion on any public hearing item.

F. Powers. The Planning Commission shall have all the powers which are now or may hereafter be given it by the general laws of the state and ordinances of the City to include at a minimum:

1. To hear requests for amendments of the text or official zoning map and recommend approval, denial, or approval with conditions to City Council;

2. To hear requests and approve or deny use permits as required by this ordinance;

3. To prescribe conditions or stipulations for any use permit or amendment to this Zoning Ordinance as may be required to carry out the provisions and intent of this ordinance;

4. To hear appeals from any decision made by the Planning Director resulting from the design review process;

5. To hear requests to amend the General Plan text or maps and recommend approval, denial, or approval with changes to the requested action;

6. To exercise powers of the Airport Zoning Commission pursuant to Arizona Revised Statutes, Section 2-325 et sec.;

7. To make recommendations to City Council on the City's Capital Improvement Plans;

8. To hear requests for design review approval on certain freestanding identification signs as provided by Section 7.104 of this ordinance.

G. Expenditure. The Planning Commission shall have no authority to make expenditure on behalf of the City or to obligate the City for payment of any sums of money, except as herein provided, and then only after the City Council shall first authorize such expenditure.

(Ord. No. 1772, 7-23-93)

3.103 Board of Adjustment.

A. Purpose. The Board of Adjustment is a quasi-judicial body created to hear requests for relief from the terms of this ordinance and to hear and decide appeals from decisions of the Planning Director.

B. Organization. The Board of Adjustment is hereby created and shall be composed of not less than five (5) nor more than seven (7) members who shall be residents of the city and who shall serve without pay. The members of the Board of Adjustment shall be appointed by the City Council, such appointments to be for a period of two (2) years each, except that in the event of the death or resignation of a member, the vacancy may be filled for the unexpired term. Change of residence from the city of a member shall create a vacancy on the Board of Adjustment.

C. Officers. The City Council shall select a Chairman from among the members of the Board of Adjustment who shall serve as such Chairman for a term of one (1) year and who shall have the power to administer oaths and take evidence. The City Council shall select a Vice-Chairman for a one (1) year term to act in the absence of the Chairman. The Planning Director or designee shall act as Secretary to the Board of Adjustment, whose duties are to keep accurate minutes of all proceedings and all other duties as maybe assigned by the Board of Adjustment.

D. Rules.

1. The Board of Adjustment shall adopt by-laws to establish rules of procedure for its governance consistent with provisions of this ordinance, laws of this state and the City Charter.

2. A quorum consisting of four (4) members shall be present in order to conduct business. A concurring vote of a majority of the appointed members of the Board of Adjustment shall be required to reverse any order or decision of the Planning Director being appealed to the Board, or to approve or deny a request for a variance from the terms and conditions of this ordinance.

3. Board of Adjustment members shall be subject to all applicable conflict of interest provisions of State law and the City Charter.

E. Powers. The Board of Adjustment shall have all the powers which are now or may hereafter be given it by the general laws of the State and the ordinances of the City including, but not limited to:

1. Hearing and deciding appeals from any decision or interpretation made by the Planning Director, except as otherwise provided in the administration and enforcement of this ordinance;

2. Hearing and deciding requests for variances from the terms of this ordinance because of special circumstances applicable to a property, including its size, shape, topography, location, or surroundings, where the strict application of this ordinance would deprive such property of privileges enjoyed by other properties in the same zoning district;

3. Interpreting on appeal or on its own motion, the location of any district boundary line shown on the official zoning map of the City;

4. Prescribing any conditions or stipulations for any variance or appeal as it may deem necessary to fully carry out the provisions and intent of this ordinance and which will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other similarly situated or zoned properties. Such conditions may include, but not be limited to, a period of time for the applicant to carry out the terms of a variance or appeal;

5. To exercise powers of the Airport Board of Adjustment pursuant to Arizona Revised Statutes, Section 2-327 et sec.

F. Ex Parte Contact. Any board member who reviews written communications or engages in verbal communications which are not part of the Board of Adjustment record shall disclose such communication at the time of the public hearing.
(Ord. No. 1772, 7-23-93)

3.104 Historic Preservation Commission.

A. Organization. A Historic Preservation Commission is created and shall consist of seven (7) members who are residents of the city. The members shall serve for terms of two (2) years, except that members of the first Historic Preservation Commission shall serve as designated by the City Council for the following terms: four (4) members for two (2) years and three (3) members for one (1) year. Any vacancy shall be filled by the City Council within a reasonable time after the vacancy occurs, for the unexpired term. The members of the Historic Preservation Commission shall serve without compensation.

B. Qualifications. Members of the Historic Preservation Commission shall be persons who have demonstrated special interest, knowledge or experience in historic preservation. At least five (5) members shall be selected from the following disciplines: architecture, history, architectural history, planning, archaeology, or related historic preservation disciplines, such as cultural geography or cultural anthropology.

C. Officers. The City Council shall select a Chairman of the Historic Preservation Commission who shall serve as Chairman for a term of one (1) year, and who shall preside at all meetings and be the head of the Historic Preservation Commission. The City Council shall select for a one (1) year term, a Vice-Chairman to act in the absence of the Chairman. The Planning Director or designee shall act as Secretary to the Historic Preservation Commission, whose duties will be to record accurate minutes of the proceedings and any such other duties as may be assigned by the Historic Preservation Commission.

D. Purpose. The Historic Preservation Commission shall work with the Planning Commission and City Council on matters of historic preservation; take the initiative in bringing people together on historic preservation issues; review proposed alterations to historic properties, historic districts and archaeological resources through the Certificate of Appropriateness process; and develop, maintain and from time to time amend, a plan for historic preservation in the city. The Historic Preservation Commission shall survey historic properties including archaeological

resources, recommend to the Planning Commission and City Council designations for Historic Preservation Districts, initiate designations for historic preservation districts and amendments, and establish guidelines for evaluation of historic properties, including archaeological resources; provide public information and education on preservation, coordinate resources and provide technical assistance, promote revitalization of the City through preservation, and make recommendations to the Planning Commission, City Council and citizens of the City regarding historic preservation. The HP Commission may also confer with other city, county, regional, state and national historic preservation boards and commissions. The HP Commission shall initiate plans for the restoration or rehabilitation of privately owned buildings and the preservation of archaeological resources. The HP Commission shall discourage, and work with City departments to prevent, unwanted demolition of historic buildings and structures and the destruction of archaeological resources.

E. Rules.

1. The Historic Preservation Commission shall adopt by-laws to establish rules of procedure for its governance consistent with provisions of this ordinance, laws of this State, and the City Charter.

2. A quorum consisting of four (4) members shall be present to do business. A concurring vote of the majority of the appointed members shall be required to approve or deny any motion on any public hearing item.

3. Historic Preservation Commission Members shall be subject to all applicable conflict of interest provisions of State law and the City Charter.

(Ord. No. 1772, 7-23-93; Ord. No. 1805, 5-10-94)

3.105 Glendale Historic Property Register.

The Glendale Historic Property register is established for the purpose of recording the historic sites, structures, buildings, objects and areas which exist in the City of Glendale and which are zoned Historic Preservation District.

(Ord. No. 1772, 7-23-93)

3.106 Historic Preservation (HP) Officer.

The Planning Director or his designee shall serve as Historic Preservation Officer. The Historic Preservation Officer shall administer this ordinance and maintain the Glendale Historic Property Register.

(Ord. No. 1772, 7-23-93)

Section 3.200 Fees.

3.201 Generally.

Fees for all services as required by this ordinance, including, but not limited to, rezoning, text amendments, use permits, variances, design review, interpretations, and administrative reviews, shall be in the amount established by resolution of the City Council or pursuant to Glendale City Code Section 2-3. All fees shall be due at the time of application or submission of the request. The City of Glendale or the City of Glendale Councilmembers, when acting in their official capacity, shall be exempt from all fees required by this ordinance.

(Ord. No. 1772, 7-23-93; Ord. No. 2193, § 1, 5-29-01; Ord. No. 2260, § 7, 6-11-02)

Section 3.300 General Procedures.

3.301 Application Procedures.

The procedures outlined in this ordinance involve a variety of application types. Some requirements are the same for all applications, and some application procedures have unique requirements. In addition, most procedures have detailed user guides prepared and provided by the Planning Director. This Zoning Ordinance and the available guidelines should be read carefully to ensure a complete application is prepared.

(Ord. No. 1772, 7-23-93)

3.302 Complete Application.

A. The Planning Department will evaluate an application for completeness. An application shall contain an application form, any information specifically required by this ordinance, such additional information specified by the Planning Director, and when required, a fee. An application must be made by the property owner or his authorized agent. An applicant will be notified within ten (10) working days if the application is incomplete. If incomplete, no review or public hearing will be scheduled. If an application fee has been paid, such fee will be refunded if the application continues to be incomplete thirty (30) days after an initial incomplete submittal.

B. When an application is determined to be complete, it will be scheduled for a review or public hearing as required by this ordinance. If the review authority (Commission, Board, City Council, or staff) determines additional information is required to adequately evaluate an application, any such additional information shall be submitted by the applicant not later than sixty (60) days from notification of the applicant unless a specific date is otherwise established by the review authority. Failure to provide additional information in the time specified will result in the application being deemed incomplete, the file closed and no refund of application fees made.

(Ord. No. 1772, 7-23-93)

3.303 Pre-application.

Prior to application for any design review, variance, appeal, amendment, use permit, special district, or any other review or permit process, a preapplication review with the Planning Department will be required. The purpose of the preapplication review is:

- A. To familiarize the Planning Department with the request;
- B. To determine application requirements and familiarize the applicant with the review process and procedures;
- C. To identify land use and development policies which may affect the outcome of the request;
- D. To permit a cursory technical review at a conceptual stage to identify conflicts in objectives and to identify potential solutions for those conflicts; and
- E. To identify the requirements for citizen participation and familiarize the applicant with related issues.

(Ord. No. 1772, 7-23-93; Ord. No. 1952, § 1, 7-22-97)

3.304 Citizen Participation Plan.

A. Every application which requires a public hearing shall include a citizen participation plan which must be implemented prior to the first public hearing.

B. The purpose of the citizen participation plan is to:

1. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

2. Ensure that the citizens and property owners of Glendale have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

3. Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

C. The citizen participation plan is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making.

D. At a minimum the citizen participation plan shall include the following information:

1. Which residents, property owners, interested parties, political jurisdictions and public agencies may be affected by the application;

2. How those interested in and potentially affected by an application will be notified that an application has been made;

3. How those interested and potentially affected parties will be informed of the substance of the change, amendment, or development proposed by the application;

4. How those affected or otherwise interested will be provided an opportunity to discuss the applicant's proposal with the applicant and express any concerns, issues, or problems they may have with the proposal in advance of the public hearing;

5. The applicant's schedule for completion of the citizen participation plan;

6. How the applicant will keep the planning department informed on the status of their citizen participation efforts.

E. The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the site. The target area for early notification will be determined by the applicant after consultation with the Planning Department. At a minimum, the target area shall include the following:

1. Property owners within the public hearing notice area required by other sections of the ordinance codified in this section;

2. The head of any homeowners association or registered neighborhood within the public notice area required by other sections of the ordinance codified in this section;

3. Other interested parties who have requested that they be placed on the interested parties notification list maintained by the Planning Department.

F. These requirements apply in addition to any notice provisions required elsewhere in the ordinance codified in this section.

G. The applicant may submit a citizen participation plan and begin implementation prior to formal application at their discretion. This shall not occur until after the required pre-application meeting and consultation with the Planning Department staff.

(Ord. No. 1952, § 2, 7-22-97)

3.305 Citizen Participation Report.

A. This section applies only when a citizen participation plan is required by the ordinance codified in this section.

B. The applicant shall provide a written report on the results of their citizen participation effort prior to the notice of public hearing. This report will be attached to the Planning Department's public hearing report.

C. At a minimum, the citizen participation report shall include the following information:

1. Details of techniques the applicant used to involve the public, including:
 - a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
 - b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications;
 - c. Where residents, property owners, and interested parties receiving notices, newsletters, or other written materials are located; and
 - d. The number of people that participated in the process.
2. A summary of concerns, issues and problems expressed during the process, including:
 - a. The substance of the concerns, issues, and problems;
 - b. How the applicant has addressed or intends to address concerns, issues and problems expressed during the process; and
 - c. Concerns, issues and problems the applicant is unwilling or unable to address and why.

(Ord. No. 1952, § 2, 7-22-97)

Section 3.400 Interpretations, Administrative Relief, and Administrative Review.

3.401 Interpretations.

A. The Planning Director shall be responsible for interpretation of the Zoning Ordinance. Interpretations may be considered if there is a question of clarity of any development standard or other provision of this ordinance, or a review is required within the permitted use categories of a specified zone district.

B. An application clearly stating the section requiring interpretation or the characteristics of the desired use and zone district in which it is proposed to be located shall be submitted on a form prescribed by the Planning Director with the required fee before an interpretation will be made. All requests for written interpretations shall be filed in the Planning Department.

C. The Planning Director shall issue a written interpretation within ten (10) working days of the submission of a completed application and request for interpretation. All interpretations shall be maintained in the Planning Department records.

D. Prior to determining that a use is permitted within a specific zoning district, the Planning Director shall find that:

1. The use is described and included in the zoning district;
2. The intensity of the use will not adversely affect other properties within the district; or
3. If there is more than one (1) principal use, all of the principal uses are permitted and that the combination of uses will not alter the basic land use characteristics of each principal use or create a different use which would otherwise be prohibited.

(Ord. No. 1772, 7-23-93)

3.402 Administrative Relief.

A. The Planning Director may authorize administrative relief to the property owner of up to ten (10) percent of any development standard unless specifically restricted elsewhere in this ordinance if:

1. An application by the property owner, on a form prescribed by the Planning Director, and fee has been submitted;
2. Notice, by first class mail, postmarked at least five (5) days prior to the determination to adjacent property owners determined by the Planning Director as potentially affected by the request;
3. The proposed improvement requiring relief will not be detrimental to the property requesting relief, any adjacent property or the City;
4. The relief granted is the minimum required to meet the needs of the proposed improvement; and
5. The relief shall not be contrary to the purpose and intent of this ordinance.

B. Any relief authorized by the Planning Director will be documented with findings consistent with the standards above and filed with the building permit records, subdivision case file, or other department files, as appropriate.

(Ord. No. 1772, 7-23-93)

3.403 Administrative Review.

A. The Planning Director shall review all uses specified in Sections 7.500, standards for uses or accessory uses subject to conditions to determine that all conditions are met.

B. An application with the required fee shall be submitted which describes the use in detail and the manner in which it will comply with the specified condition.

C. The Planning Director shall issue a written determination within ten (10) working days of submission of a completed application that the use or accessory use does or does not comply with the specified conditions. All determinations shall be maintained in the Planning Department records.

(Ord. No. 1772, 7-23-93)

3.404 Appeals.

All decisions and interpretations by the Planning Director performed in accordance with Section 3.400 may be appealed to the Board of Adjustment in accordance with the procedures prescribed in Section 3.700.

(Ord. No. 1772, 7-23-93)

Section 3.500 Initial Zoning Upon Annexation.

3.501 General.

Areas, upon annexation to the City of Glendale, shall, until officially zoned by City Council, be considered to be zoned as shown on the official zoning map of Maricopa County at the time of an annexation. This zoning shall be effective for a maximum of six (6) months after annexation. Applications for initial City zoning shall be filed and processed as defined in Section 3.800.

(Ord. No. 1772, 7-23-93)

3.502 Effect of Annexation on Building Permits.

Maricopa County building permits lawfully issued not more than sixty (60) days prior to the effective date of annexation, shall be honored by the City. Within sixty (60) days after the effective date of annexation, the City shall issue a building permit when construction details conforming to City building codes and County zoning regulations, in effect at the time the County permit was issued, are provided to the City. Any fee paid to the County for the County permit shall apply towards the City permit fee and only the balance must be paid to the City before a City permit is issued.

A City building permit shall not be required for buildings legally under construction with a building permit issued by Maricopa County prior to the effective date of annexation, and where exterior walls have been completed to the plate line or beyond. The City shall require that building construction be structurally safe and in conformance with pertinent county zoning regulations in effect at the time the county permit was issued.

(Ord. No. 1772, 7-23-93)

Section 3.520 Amendments to the General Plan – Text and Maps.

3.521 General.

A. Amendments to the General Plan which change property from one land use designation to another, which impose policies and standards not previously imposed, which modify plan text, or which remove or modify the text or any policy or standard previously imposed, shall be adopted in the manner set forth in this section.

B. Amendments to the General Plan can be either major or minor. Major and minor amendments have different hearing requirements as outlined in Section 3.524.

C. Major amendments to the General Plan are those that:

1. Apply citywide;
2. Adopt a new element of the General Plan; or
3. Adopt a specific plan that has impact throughout the character area in which it is located.

D. All other amendments are considered minor amendments.

(Ord. No. 1952, § 3, 7-22-97)

3.522 Application Process.

Applications for amendments to the General Plan shall conform with the provisions of Section 3.300. Applications shall be made in the office of the Planning Department on an application form with required documentation specified by guidelines provided by the Planning Department and accompanied with appropriate fees as required. After the Planning Department has determined that an application is complete, a public hearing with the Planning Commission will be scheduled.

(Ord. No. 1952, § 3, 7-22-97)

3.523 Authorized Applicant.

A. An applicant for an amendment to the General Plan Map on any property shall be one (1) of the following:

1. The owner of the property;

2. One (1) or more of several joint owners of property who own individually or as a group, a majority interest in the property;
3. One (1) or both of the property owners where property is held in joint tenancy;
4. Seventy-five (75) percent, or more, of the owners of property in the area covered by the application when the application covers more than one (1) property; or
5. The Planning Commission or City Council on its own motion at a public meeting.

B. The applicant for an amendment to change the text of the General Plan shall be any interested party, or the Planning Commission or City Council on its own motion at a public hearing.

C. An application shall be signed by the authorized applicant or an agent of any authorized applicant when the authority of the agent is in writing, notarized, and filed with the application except applications initiated by the Planning Commission or City Council. The signature of such agent shall have the same force and effect as if the application were signed by the principal.

(Ord. No. 1952, § 3, 7-22-97)

3.524 Public Hearing.

A. The Planning Commission shall not recommend nor shall the City Council consider any amendment to the General Plan until the request is presented during a public hearing. All public hearings to consider an amendment to the General Plan shall require notice as provided in Section 3.525.

B. For major amendments to the General Plan, the Planning Commission shall hold two public hearings in two different locations in the City. For property-specific amendments, one hearing shall be in the general vicinity of the proposed amendment. Both hearings shall require notice as provided in Section 3.525.

(Ord. No. 1952, § 3, 7-22-97)

3.525 Public Notice.

No public hearing shall be conducted without first providing notice to the affected parties.

A. For a text amendment, a notice shall be placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notices, advertising the type and nature of the public hearing at least fifteen (15) days prior to the date of the scheduled public hearing, the changes shall be published in a “display ad” covering not less than one-eighth (1/8) of a full page.

B. For a map amendment, notice shall be provided as follows:

1. A notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by the changes.

2. All property owners within three hundred (300) feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

3. A notice shall be placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notices, advertising

the type and nature of the public hearing at least fifteen (15) days prior to the date of the scheduled public hearing, the changes shall be published in a “display ad” covering not less than one-eighth (1/8) of a full page.

4. A notice shall be posted on or near the property in at least one (1) location on a form prescribed by the Planning Director for such public notice. The posted notice shall be placed on the property at least fifteen (15) days prior to the date of the scheduled public hearing. It shall not be the responsibility of the City to maintain the posting once erected.

C. Notwithstanding the notice requirements set forth in Section 3.525, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given. No public hearing shall be conducted without first providing notice to the affected parties.
(Ord. No. 1952, § 3, 7-22-97)

3.526 Planning Commission Recommendation.

A. On an application to amend the land use map, the Planning Commission may only recommend approval or denial. The planning Commission recommendation will be forwarded to the City Council for public hearing and final action unless withdrawn by the applicant.

B. On an application to amend the text of the plan, the Planning Commission may recommend approval, approval as modified by the Commission, or denial. The Planning Commission recommendation will be forwarded to the City Council for public hearing and final action.

(Ord. No. 1952, § 3, 7-22-97)

3.527 Amendments Adopted by Resolution.

Amendments to the General Plan Map or text shall be adopted by resolution and become effective immediately upon approval by the City Council.

(Ord. No. 1952, § 3, 7-22-97)

3.528 Findings.

A. Amendments to the General Plan of the City of Glendale shall be approved only if:

1. The amendment is consistent with the policies and objectives of the rest of the General Plan; and

2. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale.

B. If the amendment is to the Land Use Map, an additional finding must be made that the proposed change will be compatible with other land uses, existing or planned, in the vicinity.

(Ord. No. 1952, § 3, 7-22-97)

3.529 Re-application.

In cases where the amendment has been denied by the City Council, no application for an amendment for the same or substantially the same request and, in the case of a map amendment, on the same or substantially the same property, shall be filed within one hundred eighty (180) days from the date of denial of the amendment.

(Ord. No. 1952, § 3, 7-22-97)

Section 3.600 Design Review.

3.601 Purpose.

- A. To promote development consistent with the City's goals of high quality.
- B. To ensure that development is compatible with the surrounding area.
- C. To ensure that on-site and off-site circulation is safe for both motorists and pedestrians.
- D. To ensure that all necessary public utilities and services are provided in an efficient and aesthetic manner.

(Ord. No. 1772, 7-23-93)

3.602 When Review is Required.

Design Review is required for single residence, multi-residence, office, commercial, and industrial projects if any one (1) of the following requirements is met:

- A. Any new development or construction.
- B. Any change in occupancy as classified by the Uniform Building Code.
- C. Any expansion of an existing site or building.
- D. Any remodeling of an existing use that alters at least twenty (20) percent of the floor area or site area.
- E. Any remodeling or improvement valued at fifty (50) percent or more of the value of the existing improvements on the site.
- F. Prior to occupancy or use of any commercial or industrial building or site which has been vacant for one (1) year or more.
- G. Any amendment to an approved design review plan.

(Ord. No. 1772, 7-23-93)

3.603 Minor Design Reviews and Waiver of Design Review.

Some projects such as single residences, may not need a complete review in accordance with Sections 3.604 and 3.605 even though one (1) of the seven (7) requirements of Section 3.602 is met. The Planning Director may waive full Design Review if it is determined that such review will not further that purpose of this section.

(Ord. No. 1772, 7-23-93)

3.604 Submittal Requirements.

A Design Review application shall contain:

- A. Completed application form and fee.
- B. A site plan.
- C. Building elevations.
- D. A conceptual landscape plan and grading and drainage plan.
- E. Materials and colors exhibit board.
- F. Proposed signage.

The technical information to be included with these items along with the appropriate number of copies of each is described in the application guidelines provided by the Planning Department.

Additional information may be required depending on the scale and scope of the project.

(Ord. No. 1772, 7-23-93)

3.605 Review and Approval.

The City staff shall make the following findings in its evaluation of a project:

A. The proposed development complies with all provisions of this ordinance and all other ordinances, master plans, general plans, goals, objectives and standards of the City of Glendale.

B. The proposed site development plan's building heights, building locations, access points, and parking areas will not negatively impact adjacent properties or the surrounding neighborhood.

C. The proposed development promotes a functional relationship of structures to one another, to open spaces, and to topography both on the site and in the surrounding neighborhood.

D. The height, location, materials, color, texture, area, setbacks, and mass, as well as parts of any structure (buildings, walls, signs, lighting, etc.) and landscaping, is appropriate to the development, the neighborhood, and the community.

E. Ingress, egress, internal and external traffic circulation, off-street parking facilities, loading and service areas, and pedestrian ways, is so designed as to promote safety and convenience.

F. The architectural character of the proposed structures is in harmony with, and compatible to, structures in the neighboring environment and the architectural character desired for the city; avoiding excessive variety or monotonous repetition.

G. All mechanical equipment, appurtenances and utility lines are concealed from view and integral to the building and site design.

(Ord. No. 1772, 7-23-93)

3.606 Administrative Relief.

City development standards may be modified during the design review process by up to ten (10) percent of the required standard upon a finding that all of the following are met:

A. The proposed improvement is compatible with the character of the property requesting relief and the adjacent property;

B. The proposed improvement requiring relief will not be detrimental to the property requesting relief, any adjacent property or the City;

C. The relief granted is the minimum required to meet the needs of the proposed improvement; and

D. The relief shall not be contrary to the purpose and intent of this ordinance.

(Ord. No. 1772, 7-23-93)

3.607 Denial and Appeal Procedure.

A. If the Planning Director or his designee finds that the proposed project has not properly addressed one (1) of the review criteria listed in Section 3.605 of this article or there are other technical deficiencies identified by other City staff reviewers, and adequate resolution of the issue(s) can not be ensured by the applicant, the Planning Director or his designee shall deny the Design Review Application and state the reasons for the denial in a letter to the applicant.

B. The applicant may appeal the Planning Director's decision to the Planning Commission if that appeal, including appeal fee, is made in writing to the Planning Director

within fifteen (15) days of the decision. The appeal letter shall describe the unresolved issues and describe what design solutions are proposed by the applicant. The applicant shall be notified of the date of the Planning Commission meeting to consider the appeal, a minimum of fifteen (15) days prior to the public meeting.

C. The decision of the Planning Commission shall be final unless an appeal to the City Council is made by the applicant in writing to the Planning Director within fifteen (15) days of the Planning Commission's decision. The appeal letter shall state the reasons for the appeal and be accompanied by the required fee. The applicant shall be notified of the date of the City Council meeting to consider the appeal a minimum of fifteen (15) days prior to the public meeting.

(Ord. No. 1772, 7-23-93)

3.608 Period of Approval.

Design review approval shall be valid for a period of one (1) year from the date of approval and shall become invalid if a building permit has not been issued in that time. Up to an additional one (1) year may be granted by the Planning Director upon written request by the applicant. The Planning Director shall grant the extension only upon a finding that special circumstances prevented the applicant from obtaining a building permit, and that no changes in City ordinances have occurred which would significantly alter the previous design review approval.

(Ord. No. 1772, 7-23-93)

Section 3.700 Variances and Appeals.*

***Editor's note:** Ord. No. 2531, § 1, adopted Oct. 24, 2006, repealed App. A, §§ 3.701--3.707, 3.710. Furthermore, said ordinance renumbered App. A, §§ 3.708, 3.709, 3.711--3.714 as §§ 3.701--3.706.

3.701. Effective Date of the Variance or Appeal.

The decision of the Board of Adjustment shall be final thirty (30) calendar days from the date of the public hearing unless an appeal is filed as provided for in this ordinance.

(Ord. No. 1772, 7-23-93; Ord. No. 2531, § 1, 10-24-06)

3.702. Appeal to Superior Court.

The City or any person aggrieved by a decision of the Board of Adjustment may within thirty (30) calendar days of the Board's decision, file a complaint for special action in Superior Court in accordance with A.R.S. § 9-462.06(K) now in effect or as it may be amended from time to time.

(Ord. No. 1772, 7-23-93; Ord. No. 2260, § 7, 6-11-02; Ord. No. 2531, § 1, 10-24-06)

3.703. Modification of a Variance.

Any alteration or expansion of a project for which a variance was approved shall comply with all current provisions and regulations of this Zoning Ordinance. Any request for modification or other change in conditions of approval of the variance shall be reviewed according to provisions of this article as a new application.

(Ord. No. 1772, 7-23-93; Ord. No. 2531, § 1, 10-24-06)

3.704. Revocation of a Variance.

When provisions of this ordinance related to the variance, or conditions or stipulations, made a part of the variance approval, have not been satisfied, the variance may be revoked as follows:

The Board of Adjustment shall, by first class mail, notify the holder of the variance of its intention to hold a hearing to consider revocation of the variance. The notice shall be made at least fifteen (15) days prior to date of the scheduled hearing. At the hearing, the Board of Adjustment shall consider evidence from all interested parties, and after deliberation, may revoke the variance or take any actions as may be necessary to insure compliance with the regulations or conditions of the approved variance.

(Ord. No. 1772, 7-23-93; Ord. No. 2531, § 1, 10-24-06)

3.705. Re-application.

Where a variance or appeal has been denied, no application for a variance or appeal for the same or substantially the same issue on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial.

(Ord. No. 1772, 7-23-93; Ord. No. 2531, § 1, 10-24-06)

3.706. Applicability of the Variance.

Except as may be otherwise stipulated or provided in this Zoning Ordinance, a variance granted pursuant to provisions of this article shall run with the land and continue to be valid upon a change of ownership of the site or structure which was subject to the variance.

(Ord. No. 1772, 7-23-93; Ord. No. 2531, § 1, 10-24-06)

Section 3.800 Amendments to the Zoning Ordinance – Text and Maps.

3.801 General.

Amendments to this Zoning Ordinance which change property from one (1) zoning district to another, which impose regulations not previously imposed, which modify ordinance text, which amend or modify stipulations or conditions of approval, or which remove or modify the text or any regulation previously imposed shall be adopted in the manner set forth in this section.

(Ord. No. 1772, 7-23-93)

3.802 Application Process.

Applications for amendment shall conform with the provisions of Section 3.300. Applications shall be made in the office of the Planning Department on an application form with required documentation specified on guidelines provided by the Planning Department and accompanied with appropriate fees as required. After the Planning Department has determined that an application is complete, a public hearing with the Planning Commission will be scheduled.

(Ord. No. 1772, 7-23-93; Ord. No. 1952, § 5, 7-22-97)

3.803 Authorized Applicant.

A. An applicant for an amendment to change the zoning on any property shall be one (1) of the following:

1. The owner of the property;
2. One (1) or more of several joint owners of property who own individually or as a group, a majority interest in the property;
3. One (1) or both of the property owners where property is held in joint tenancy;
4. Seventy-five (75) percent, or more, of the owners of property in the area covered by the application when the application covers more than one (1) property;
5. The Planning Commission or City Council on its own motion at a public meeting; or
6. The Historic Preservation Commission, the Planning Commission or City Council on its own motion at a public meeting, may initiate an amendment to establish or amend Historic Preservation District Zoning.

B. The applicant for an amendment to change the text of the Zoning Ordinance shall be an interested party, or the Planning Commission or City Council on its own motion at a public hearing.

C. An application shall be signed by the authorized applicant or an agent of any authorized applicant when the authority of the agent is in writing, notarized, and file with the application except applications initiated by the Planning Commission or City Council. The signature of such agent shall have the same force and effect as if the application were signed by the principal.

(Ord. No. 1772, 7-23-93; Ord. No. 1805, 5-10-94)

3.804 Public Hearing.

The Planning Commission may recommend approval, approval with conditions, or denial on an application for amendment. The recommendation will be forwarded to the City Council for public hearing and final action unless withdrawn by the applicant. All public hearings to consider an amendment to this Zoning Ordinance shall require notice as provided in this article.

(Ord. No. 1772, 7-23-93)

3.805 Protests Against Amendment.

If the owners of twenty (20) percent or more of the area either of the lots included in a proposed change, or those immediately adjacent within one hundred fifty (150) feet there from, or of those directly opposite within one hundred fifty (150) feet from the street frontage of the opposite lots, file a protest in writing against a proposed amendment, it shall not become effective except by a favorable vote of three-fourths (3/4) of all members of the City Council.

If any members of the City Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the City Council, provided that such required number of votes shall in no event be less than a majority of the full membership.

Written protests shall describe the property owned by the protestants with sufficient clarity to determine the location of the protestants property on a map of the City with relation to the area under consideration. Where such property is not adequately described, the City Council may, at its discretion, disregard any such protest. The written protests shall include case number, description of request, the name(s), address of property owned by protesting party, signature,

date and basis of protest. If a petition is used, the person circulating the petition shall include their name and their notarized signature.
(Ord. No. 1772, 7-23-93)

3.806 Public Notice.

All such written protests or petitions shall be filed in the office of the Planning Director no later than 12:00 noon on the Friday preceding the City Council meeting at which such amendment will be considered.

The Planning Commission shall not recommend nor shall the City Council consider any amendment to this Zoning Ordinance until the request is presented during a public hearing. No public hearing shall be conducted without first providing notice to the affected parties.

A. A notice shall be sent by first class mail to each real property owner, as shown on the last assessment, whose real property is directly governed by the changes.

B. All property owners within three hundred (300) feet of the exterior boundaries of the property subject to the application as shown on the last assessment of the property shall be sent notice by first class mail, postmarked at least fifteen (15) days prior to the date of the scheduled public hearing.

C. A notice shall be placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notices, advertising the type and nature of the public hearing at least fifteen (15) days prior to the date of the scheduled public hearing, the changes shall be published in a "display ad" covering not less than one-eighth (1/8) of a full page.

D. A notice shall be posted on or near the property in at least one (1) location on a form prescribed by the Planning Director for such public notice. The posted notice shall be placed on the property at least fifteen (15) days prior to the date of the scheduled public hearing. It shall not be the responsibility of the City to maintain the posting once erected.

E. Notwithstanding the notice requirements set forth in Section 3.806, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

(Ord. No. 1772, 7-23-93)

3.807 Amendments Adopted by Ordinance.

Amendments to the official Zoning Map or the text shall be adopted by ordinance. Amendments to the text may be considered as an emergency ordinance to become effective immediately upon approval by the City Council. Amendments to the official Zoning Map shall not be considered as an emergency ordinance and shall become effective thirty (30) days after approval unless a later effective date is provided by action of City Council. An ordinance amending the official Zoning Map shall include a legal description of the property affected, which shall be provided by the applicant on a form and in a manner as required by the guidelines prepared by the Planning Director.

(Ord. No. 1772, 7-23-93)

3.808 Conditional Zoning.

The City Council may approve a zoning change containing conditions which must be met by the applicant and may specify a period of time for the applicant to meet the conditions. In the

event the time period expires and the conditions have not been met, the ordinance shall not become effective and may be rescinded as follows:

The Planning Director shall, by first class mail, notify the authorized applicant of its intention to hold a hearing to rescind the zoning change. The notice shall be made at least fifteen (15) days prior to the date of the scheduled hearing. At the hearing, the City Council shall consider evidence from all interested parties and after deliberation may rescind the ordinance or take an action to extend the time period.

(Ord. No. 1772, 7-23-93)

3.809 Findings.

Amendment to the zoning ordinance and official zoning map of the City of Glendale shall be approved only if:

A. The amendment is consistent with the policies and objectives of the Glendale General Plan;

B. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale; and

C. If the amendment is to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on businesses, persons, or properties adjacent to the requested amendment.

D. A finding is made that there are adequate school facilities, if the amendment is to the official Zoning Map, and if Section 3.812 (Adequate school facilities) is applicable.

(Ord. No. 1772, 7-23-93; Ord. No. 2104, § 2, 10-12-99)

3.810 Change of Classification of Requested Zone District.

In the event an application is made for an amendment to change the official Zoning Map from a more restrictive district to a less restrictive district, the Planning Commission or City Council may approve the application or grant the amendment for a district which is more restrictive than requested in the application and less restrictive than the existing classification, without the necessity of a new or amended application and without the necessity of giving new or additional notice.

(Ord. No. 1772, 7-23-93)

3.811 Re-application.

In cases where the amendment has been denied, no application for an amendment for the same or substantially the same request and, in the case of a map amendment on the same or substantially the same property shall be filed within one hundred eighty (180) days from the date of denial of the amendment.

(Ord. No. 1772, 7-23-93)

3.812 Adequate School Facilities.

A. The provisions of this section shall apply only to applications for residential rezoning which will increase the projected number of students for any school district's school attendance area as a result of the proposed rezoning. The applicability of this section includes applications for rezoning which change zoning classifications from non-residential to residential classifications and rezonings which change residential zoning classifications to a higher density

residential classification. A school district's school attendance areas shall be the attendance boundaries adopted for each public school by the applicable school district.

B. No rezoning application shall be considered complete under Section 3.302 until the applicant provides a letter from the appropriate school district which certifies any of the following, or the time period for the school district's response to a request for certification has expired under subsection D:

1. That the school district has adequate school facilities to accommodate the projected number of new students within the school district's attendance area; or
2. That the school district will have adequate school facilities by a planned capital improvement to be constructed within one (1) year and located within the school district's attendance area; or
3. That the school district has determined an existing or proposed charter school can provide adequate school facilities; or
4. That the applicant and the school district have entered into an agreement to provide, or help to provide, adequate school facilities within the school district's attendance area in a timely manner; or
5. That the school district does not have adequate school facilities to accommodate projected growth attributable to the rezoning.

The projected number of new students resulting from the application for rezoning shall be based upon a student per-household ratio methodology adopted by the appropriate school district. If a school district fails to adopt a student per-household ratio methodology for projecting the number of new students resulting from an applicant's rezoning application, then the school district shall base its certification upon an authoritative source accepted within the education community.

C. For purposes of this section, adequate school facilities shall be determined by the appropriate school district in accordance with the minimum school facility adequacy guidelines adopted by the School Facilities Board pursuant to A.R.S. Sec. 15-2011, and any subsequent amendments made thereto, as applied to each individual school site's attendance area for each individual school serving the property being considered for rezoning.

D. Applications for rezoning subject to this section shall follow the following procedures:

1. At the time of filing an application for rezoning subject to this section, all applicants for rezoning shall provide a copy of a letter delivered to the superintendent(s) of all applicable school districts which contains an offer to meet with school district representatives to discuss the school district's certification required by subsection B above.
2. After the filing of the rezoning application, the City shall deliver by certified or registered mail a copy of the application and a site location map to each affected school district located within the area requested to be rezoned. In addition, the City shall request the school district to provide the required certification provided for in subsection B above, on a form to be provided by the City, within thirty (30) days to the City of Glendale care of the Planning Director. For good cause, the thirty (30) day time period may be extended at the request of the applicant or the school district. In the event the City does not receive certification from the school district within thirty (30) days, or any extension thereof, it shall be deemed that there are adequate school facilities for the proposed rezoning. The school district's response time to a request for certification shall

be determined by the date of mailing of the request for certification from the City. For purposes of computing the thirty (30) day certification time period, the date of mailing from which the designated period of time begins to run shall not be included. In the event the last day for receipt of the certification occurs on a Saturday, Sunday or legal holiday, the applicable certification time period runs until the end of the next work day.

3. After providing the certification required by subsection B, or the school district's failure to respond to the request for certification within thirty (30) days, or any extension thereof, the application shall proceed to be processed in accordance with Section 3.800 et seq. of the zoning ordinance and all other applicable ordinances.

4. In the event that the appropriate school district certifies that there are not adequate school facilities for the proposed rezoning, the Planning Director shall notify the applicant in writing that the school district has determined that it does not have adequate school facilities for the rezoning.

(Ord. No. 2104, § 1, 10-12-99)

Section 3.900 Conditional Use Permits.

3.901 Purpose.

The City of Glendale recognizes certain uses which may be appropriate in specific zone districts but have characteristics that, depending upon the location, design, and standards of operation, may have a greater impact than permitted uses on adjoining properties, businesses, or residences within the city. Such uses require a more comprehensive review, including the ability of the City to establish specific conditions for the project in order to mitigate any potential impacts. The Planning Commission can evaluate only conditional uses listed and is empowered to grant, grant with conditions, or deny any application for a Use Permit. Such review by the Planning Commission is subject to findings and the applicable hearing requirements of this section. The burden of proof shall be the responsibility of the applicant.

(Ord. No. 1772, 7-23-93)

3.902 Application.

Applications shall conform with the provisions of Section 3.300. Applications shall be filed with the Planning Department on an application form with the required documentation specified on guidelines provided by the Planning Director with appropriate fees. After the Planning Department has determined that an application is complete, a public hearing with the planning commission will be scheduled. The application, at a minimum, shall include the following:

A. Name and address of the applicant. If the applicant is not the owner of the property, the name and address of the owner shall be supplied along with authorization that the applicant is the agent of the owner and may apply for the Use Permit. Proof of ownership must accompany the submittal.

B. A statement describing the proposed use, and any pertinent data required to evaluate the use, including but not limited to: hours of operation, number of employees and shifts, processes and materials involved in the use, and types and volume of traffic generated by the use.

C. A list of all owners of property within three hundred (300) feet of the exterior boundaries of the property subject to the application. The list shall be accompanied by a map showing the location of these properties.

D. A site plan including dimensions showing the type and location of buildings, structures, floor plans, parking, landscaping, circulation and other relevant site information.

E. Any additional information or plans which may be required by the Planning Director.

F. Wireless communication facilities require the following additional information:

1. A map of the service area of the proposed facility.
2. A map showing all existing or planned facilities within the network of the provider within three (3) miles of the proposed site. Describe the height, type of mount, and number of antennas for each facility.
3. A map showing any existing or planned single family residential development within one-half (1/2) mile of the proposed site.
4. A map showing all wireless communication facilities which are existing, approved, or under construction within a mile radius of the site.
5. A map showing other potential locations considered. This includes other monopoles, buildings, and alternative structures.
6. A photo simulation of the site including all public views and views from residential property.
7. A scaled elevation of the facility from each direction. The elevation must be legible when reduced to eight (8) and one-half (1/2) by eleven (11) inch size.
8. A narrative which addresses the following:
 - a. Why the facility is needed.
 - b. Efforts to co-locate on existing or planned towers and why co-location is not feasible or desirable.
 - c. Efforts to locate antenna on existing building or another alternative structure.
 - d. Why the proposed site is superior from a community perspective. Factors to address include visual impact on gateways to the community, heavily traveled corridors, and major viewsheds, impact on land use character, and proximity to single family neighborhoods.
 - e. Efforts to blend the wireless facility into the surrounding area by minimizing the visibility of the structure. Include the process for selection of color of the proposed monopole.
 - f. Justification for the proposed height. The height should represent the minimum necessary in all instances.
 - g. Efforts to minimize the diameter and mass of the structure provide engineering information related to those efforts.
 - h. Efforts to minimize the size of the antenna array, support equipment and related equipment shelter provide engineering information related to those efforts.
 - i. Function of all equipment ancillary to the panel antennas such as whip and dish antennas.
 - j. Describe where the structure will be visible and from what distance.

9. Third party review.
 - a. City staff may require a third party review of any technical data submitted as part of the application.
 - b. The third party may be selected by agreement with the applicant or at the discretion of the City. The cost of the third party review will be paid for by the applicant.
 - c. The third party review is to be a technical site specific review of the wireless communication facility, not a subjective review of the proposed site.

(Ord. No. 1772, 7-23-93; Ord. No. 1952, § 6, 7-22-97; Ord. No. 2002, § 2, 4-28-98)

3.903 Public Hearing.

The Planning Commission shall hold at least one (1) public hearing on the application. Prior to the public hearing, notice shall be provided as described in Section 3.806.

(Ord. No. 1772, 7-23-93)

3.904 Findings.

The Planning Commission shall make the following findings before granting a Conditional Use Permit:

- A. General Findings.
 1. That the proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zone district in which the site is located;
 2. That the proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
 3. That the proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zone district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
 4. That the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient;
 5. That adequate conditions or stipulations have been incorporated into the approval of the Use Permit to insure that any anticipated detrimental effects can be mitigated.
- B. Wireless Communication Facilities Findings.
 1. The proposed facility is required to provide adequate wireless service, and other alternative locations are either infeasible or less desirable from a community perspective;
 2. The proposed facility will blend into the context of its setting and not be overly conspicuous within the community;

3. The scale and mass of the facility will not adversely affect the land use character of the property or the surrounding area;
4. Adequate setbacks have been provided to ensure the facility will not be intrusive on adjacent land uses or the streetscape.
5. All applicable development standards and design guidelines have been met.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 2, 4-28-98)

3.905 Action by the Planning Commission.

The Planning Commission may grant, grant with conditions, or deny any application after conducting a public hearing. The Planning Commission may place any conditions which are deemed necessary to mitigate potential impacts and insure compatibility of the use with surrounding development and the city as a whole, and which are required to preserve the public health, safety and general welfare. These conditions may include but are not limited to:

- A. Requirements for setbacks, open spaces, buffers, fences or walls, and landscaping to mitigate conflicts from visual, noise, lighting and similar impacts associated with the use;
- B. Dedication of street or other public rights-of-way, and control in location of access points and on-site circulation to mitigate traffic impacts from increased volumes or nature of traffic activity associated with the use;
- C. Regulations pertaining to hours of operation, methods of operation, and phasing of the development of the site to mitigate impacts to surrounding properties and the neighborhood;
- D. Time limits on the duration of the permit to determine if the use, after a temporary period of operation, is materially detrimental or to evaluate whether changed conditions in the neighborhood effect the capability of the use to continue to adequately mitigate impacts to the surrounding area or the city as a whole.

(Ord. No. 1772, 7-23-93)

3.906 Effective Date of the Conditional Use Permit.

The decision of the Planning Commission shall be final and effective fifteen (15) days from the date of the decision unless an appeal is filed pursuant to Section 3.907.

(Ord. No. 1772, 7-23-93)

3.907 Appeal Procedure.

A. The action of the Planning Commission may be appealed to the City Council by the applicant, any member of the City Council, the City Manager, or any property owner within three hundred (300) feet of the property subject to the request. Such requests for appeal must be filed on an application form provided by the Planning Director with the appropriate fee, within the fifteen (15) days following the date of the Planning Commission action.

B. Consideration of the appeal shall be made at a public hearing only after notice of the hearing has been placed in the newspaper of general circulation of the area, or newspaper designated by the City Council for legal public notice, at least fifteen (15) days prior to the hearing. The notice shall be posted on the property at least fifteen (15) days prior to the hearing. It shall not be the responsibility of the city to maintain the notice once posted on the property.

C. The City Council shall act to affirm or reverse, in whole or in part, or modify the Planning Commission's decision. Any action to grant a Conditional Use Permit, either through affirmation, modification, or reversal of the Planning Commission's decision, must include required findings for Use Permits as provided in this ordinance.
(Ord. No. 1772, 7-23-93)

3.908 Modification of Conditional Use Permit.

A request to modify, expand, or otherwise change an approved Conditional Use Permit, not in substantial conformance with the approved permit, shall be reviewed and processed according to provisions of this ordinance as a new application.
(Ord. No. 1772, 7-23-93)

3.909 Revocation.

Failure to comply with the conditions, stipulations, or terms of the approval of an approved conditional use, is a violation of this ordinance and will be enforced as such. Repeated offenses shall be cause for revocation in the following manner:

The Planning Commission shall notify, by certified mail, the holder of the Conditional Use Permit of the intention to conduct a hearing to consider the revocation of the Use Permit. Notice shall be postmarked at least fifteen (15) days prior to the date of the scheduled hearing. At the hearing the Planning Commission shall consider evidence from all interested parties and after consideration of all available information may revoke the use permit if it is determined that conditions, stipulations, or terms of the approved Use Permit have not been met.
(Ord. No. 1772, 7-23-93)

3.910 Status of the Use Permit.

A Use Permit granted pursuant to provisions of this article shall run with the land and continue to be valid regardless of ownership of the site or structure subject of the use permit application, so long as it operates within the conditions, stipulations, and terms of the Use Permit approval.
(Ord. No. 1772, 7-23-93)

3.911 Re-application.

In cases where the Use Permit has been denied, no application for a Use Permit for the same or substantially the same use on the same or substantially the same site shall be filed within one hundred eighty (180) days from the date of denial or revocation of the Use Permit.
(Ord. No. 1772, 7-23-93)

3.912 Expiration of Conditional Use Permit for Wireless Communication Facilities-Monopole.

All conditional use permits for wireless communication monopoles shall be limited to a maximum time period of ten (10) years from the date of Planning Commission approval. When a Use Permit is granted for a co-location on a facility with an existing Use Permit, the action of granting the new Use Permit shall extend the existing Use Permit so that they will expire simultaneously.

The commission shall be responsible for initiating a review of the approved facility and shall request the applicant to demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the Use Permit. If a new Use Permit is not granted, the applicant shall be responsible for the removal of the facility.
(Ord. No. 2002, § 2, 4-28-98)

Section 3.920 Establishing a Historic Preservation (HP) District.

A. An application to establish Historic Preservation Districts shall be filed as provided by Section 3.800.

B. The Historic Preservation Officer shall compile and transmit to the Historic Preservation Commission a report on the property in the application, including the location, condition, age, historical features, and other relevant features and information, with a recommendation to grant or to deny the application and the reasons for the recommendation.

C. The Historic Preservation Commission shall set a date for public hearing on the application. Notice of the hearing shall be sent by first class mail to the property owner(s) and to the applicant at least fifteen (15) days prior to the hearing. The notice shall clearly state the implications of historic preservation zoning to the property owner(s). Notice of the hearing shall be posted fifteen (15) days prior to the hearing, on or near the property in one (1) or more locations so that the notice is visible to persons living or working in the neighborhood and to persons passing through the neighborhood. If the application to establish a Historic Preservation District is filed by someone other than the property owner(s), written notice shall be sent by first class mail to the property owner(s) within ten (10) days of application having been made.

D. The Historic Preservation Commission shall evaluate each parcel of property within an area that is included in the application for a demonstrated quality of significance in local, regional, state or national history, architecture, archaeology, engineering or culture, and integrity of location, design, setting, materials, workmanship, feeling, and association according to the following criteria:

1. It is associated with events or persons that have made significant contribution to the broad patterns of Glendale's history; and/or
2. It embodies the distinctive characteristics of a type, period or method of construction or that represent the work of a master or that possess high artistic values; and/or
3. It has yielded or may be likely to yield information important in the understanding of the prehistory or history of the City of Glendale; and/or
4. It is at least fifty (50) years old, or has achieved significance within the past fifty (50) years if the property is of exceptional importance.

E. The Historic Preservation Commission shall, when applying the evaluation criteria in Paragraph D above, draw the boundaries of a Historic Preservation District as carefully as possible to ensure that:

1. The district contains documented historic, architectural or archaeological resources;
2. The district boundaries coincide with documented historic boundaries such as early roadways, canals, subdivision plats, or property lines;
3. The district boundaries coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and

4. Other, non-historic resources or vacant land is included where necessary to create appropriate boundaries. Inclusion of these non-historic resources is important to ensure the maintenance of the historic streetscape and avoid insensitive construction and demolitions adjacent to contributing properties.

F. The Historic Preservation Commission shall also review proposed exterior design guidelines for the district to ensure that distinctive features will be preserved and enhanced. The design guidelines shall address height, proportions, scale, materials, relationship of building masses and spaces, roof shape, and site improvements, such as landscaping, parking, and signage, as they relate to the identity of the Historic Preservation District. Exterior paint colors will not be included in these guidelines. These guidelines shall be adopted at the time of designation.

G. Following the hearing, the Historic Preservation Commission shall transmit to the Planning Commission the HP Commission's decision, report, and recommendations.

H. The process for establishing a Historic Preservation District shall then proceed in accordance with Section 3.800.

I. The procedure to remove the Historic Preservation District designation from property shall be the same as that required to establish it.
(Ord. No. 1772, 7-23-93)

3.921 Temporary Restraint of Demolition.

A process is established for the review of proposed demolitions of structures which are located in areas where an application for Historic Preservation District designation is under consideration.

A. A demolition permit shall not be issued for any property under application for Historic Preservation District zoning unless first approved by the Historic Preservation Officer, the Historic Preservation Commission, or the City Council on appeal. This shall apply from the time the application is filed or initiated until final action is taken on the application by the City Council. This period shall not exceed one (1) year. Requests for demolition permits shall be referred to the Historic Preservation Officer.

B. The Historic Preservation Officer may administratively grant approval if the subject building clearly is of minimal historic or architectural significance because of its location, condition, modifications, or other factors, and its demolition will be inconsequential to the historic preservation needs of the area.

C. If the Historic Preservation Officer finds that the subject property does not clearly meet the conditions set forth in Subsection B of this section, the request for demolition shall be scheduled for public hearing before the Historic Preservation Commission to allow the commission to determine if the factors allowing for demolition have been met and for consideration of economic hardship factors.

D. The Historic Preservation Commission shall review the decision of the Historic Preservation Officer in light of the evidence presented at the hearing. At the hearing, the HP Commission shall either grant or deny the request. The request shall be granted only if the applicant demonstrates that:

1. The building is of minimal historic or architectural significance because of its location, condition, modifications, or other factors, and its demolition will be inconsequential to the historic preservation needs of the area;
or

2. The denial of the demolition permit will result in an economic hardship to the property owner according to Section 6.405 of this ordinance.

E. The Historic Preservation Commission shall conduct a public hearing within sixty (60) days of the date of the formal request for a demolition permit. Notice of the application shall be posted on the property at least fifteen (15) days before the hearing. The request shall be deemed approved if the initial hearing by the HP Commission is not held within the required sixty (60) days or if the HP Commission has not made a final decision within one hundred eighty (180) days of the formal request for a demolition permit.

F. The Historic Preservation Commission's decision shall be final unless appealed by either the applicant or any aggrieved person within seven (7) working days of the action. If appealed, the matter shall be set for a public hearing before the City Council at their next available meeting. Notice of the hearing shall be posted on the property fifteen (15) days prior to the hearing. The City Council shall limit its review of the case to the record of the HP Commission; as established by the staff report, any exhibits, minutes and/or transcripts, and any audio/visual tape of the proceedings. New testimony will not be accepted for consideration; however, each side may make a limited presentation on the evidence in the record of the HP Commission. Such presentation shall be limited to a maximum of five (5) minutes per side unless greater time is granted by the Mayor. Except as otherwise provided in this article, City Council members who review written communications or engage in verbal communications which are not part of the HP Commission's record shall disclose any such communications during the appeal public hearing. The City Council must make its decision within sixty (60) days of the filing of an appeal or the application is deemed approved. At this public hearing, the City Council may do one (1) of the following:

1. Affirm the decision of the Historic Preservation Commission;
2. Reverse the decision of the Historic Preservation Commission; or
3. Remand the application to the Historic Preservation Commission for reconsideration.

G. In the event demolition approval is denied, no permit for demolition shall be issued for one (1) year from the date of the Historic Preservation Commission's initial hearing on the subject property unless a subsequent demolition approval has been requested and granted. If Historic Preservation District zoning has not been placed on the property at the time of expiration of the one (1) year, the Historic Preservation Officer shall grant demolition approval.

H. At the time of adoption of Historic Preservation District zoning, the temporary restraint of demolition and any stays of demolition in effect shall expire. Demolition at that time shall be regulated by Section 6.406 of this ordinance.

I. Demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

J. A request for a demolition permit shall be exempt from these requirements if the Building Safety Director determines, and the Historic Preservation Officer has been notified in writing, that the building currently is an imminent hazard to the public safety and that necessary repairs would be impractical.

(Ord. No. 1772, 7-23-93)

Section 4.100 Zoning Map.

A. Boundaries of the zoning districts established in this Zoning Ordinance shall be shown on a map Titled “The Official Zoning Map of the City of Glendale” which is incorporated and adopted as a part of this Zoning Ordinance of the City of Glendale.

B. Amendments to the Official Zoning Map of the City of Glendale shall be by ordinance as prescribed in this ordinance.

(Ord. No. 1772, 7-23-93)

Section 4.200 District Boundaries.

Where there is uncertainty with respect to the boundaries of any zoning district on the Official Zoning Map, the following rules shall apply:

A. Where district boundaries are indicated as approximately following streets or highway rights-of-way, the center line of such street or highway right-of-way shall be construed to be such boundaries;

B. Where district boundaries are so indicated that they approximately follow property lines, such lines shall be construed to be the boundary;

C. Where district boundaries are so indicated that they are approximately parallel to rights-of-way of streets or highways, such district boundaries shall be construed as being parallel thereto, and at such distance there from as indicated on the Official Zoning Map.

D. Such district boundary lines are intended to follow street, alley, lot, or property lines as the same exists at the time of passage of this ordinance, except where such district boundary lines are fixed by specific dimensions shown on the Official Zoning Map in which case such dimensions shall govern. In the event that a vacated street, alley, right-of-way, or easement was a boundary between two districts, the new zoning district boundaries shall be at the new property line, provided, however, that where such vacation does not involve the establishment of new property lines, the zone district boundary shall be fixed at a point along the center line of the vacated street, alley, right-of-way, or easement.

E. Where the application of the above rules do not clarify the zoning district boundary location the Planning Director shall make a decision with appeal to the Board of Adjustment.

(Ord. No. 1772, 7-23-93)

Section 4.300 Districts Established.

The City shall be divided into zone districts known as:

1. A-1 – Agricultural;
2. SR-30 – Suburban Residence;
3. SR-17 – Suburban Residence;
4. SR-12 – Suburban Residence;
5. R1-10 – Single Residence;
6. R1-8 – Single Residence;
7. R1-7 – Single Residence;
8. R1-6 – Single Residence;

9. R1-4 – Single Residence;
10. R-2 – Mixed Residence;
11. R-3 – Multiple Residence;
12. R-4 – Multiple Residence;
13. R-5 – Multiple Residence;
14. R-O – Residential Office;
15. C-O – Commercial Office;
16. G-O – General Office;
17. PR – Pedestrian Retail;
18. SC – Shopping Center;
19. C-1 – Neighborhood Commercial;
20. NSC – Neighborhood Shopping Center;
21. C-2 – General Commercial;
22. CSC – Community Shopping Center;
23. C-3 – Heavy Commercial;
24. B-P – Business Park;
25. M-1 – Light Industrial;
26. M-2 – Heavy Industrial;
27. Special Use District;
28. PAD – Planned Area Development;
29. A.I.O. – Airport Impact Overlay;
30. PRD – Planned Residential Development;
31. MH – Mobile Home;
32. HP – Historic Preservation.
33. SCO – Senior Citizen Overlay.

(Ord. No. 1772, 7-23-93; Ord. No. 1896, 7-23-96; Ord. No. 2177, § 2, 12-19-00)

Section 5.100 A-1 – AGRICULTURAL DISTRICT.

5.101 Purpose.

The purpose of this district is to accommodate semi-rural or vacant lands, which may be suitable for interim agricultural uses and which may not require the full range of urban services. The district provides for agricultural uses, single-residences, public uses and multi-purpose arenas until transition to suburban or urban land uses in accordance with the General Plan.

(Ord. No. 1772, 7-23-93; Ord. No. 2203, § 1, 7-24-01)

5.102 Permitted Uses.

- A. Agriculture, including the production of food and fiber crops, and tree farms. Grazing and animal husbandry of livestock.
- B. One (1) detached single residence dwelling per lot.
- C. Public schools, parks, and playgrounds. Publicly-owned and operated buildings or properties.
- D. Seasonal fruit, vegetable, and hay retail sales structures of less than five hundred (500) square feet when located on the premises where the products are raised.
- E. Reserved.

(Ord. No. 1772, 7-23-93; Ord. No. 2203, § 1, 7-24-01, Ord. No. 2369, § 1, 2-24-04)

5.103 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
 - B. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.
 - C. Guest House (occupancy limited to less than ninety (90) days total per calendar year), subject to administrative review as described in Section 5.123.
 - D. Wireless communication facilities, subject to Sections 7.506 and 7. 600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
 - E. Corn maze, subject to Section 7.507.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2166, § 1, 10-24-00; Ord. No. 2386, § 2, 6-22-04)

5.104 Uses Subject to Conditional Use Permit.

- A. Living quarters for agricultural employees employed on the premises.
 - B. Commercial feedlot, hog operations, and/or dairies. Farms devoted to raising and marketing of chickens or turkeys.
 - C. Plant nurseries (wholesale only). No retail sales allowed.
 - D. Commercial horse riding, training, and boarding stables. Minimum parcel size ten (10) acres.
 - E. Home occupations (Class II): See Section 7.304.
 - F. Guest House, (occupancy of ninety (90) days or more per calendar year), subject to administrative review as described in Section 5.213.
- (Ord. No. 1772, 7-23-93)

5.105 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
 - 1. Front yard: Maximum height-three (3) feet, except five (5) feet for woven wire field fence.
 - 2. Side or rear yard: Maximum height-six (6) feet, except eight (8) feet when abutting an arterial street.
 - B. Garage, enclosed storage, or barn.
 - C. Satellite earth station.
 - D. Swimming pool.
 - E. Amateur radio tower.
 - F. Game court, unlighted.
 - G. Home occupations (Class I): See Section 7.304.
 - H. Household pets.
- (Ord. No. 1772, 7-23-93)

5.106 Development Standards.

- A. See Table 1.
 - B. The requirements of Table 1 (A-1 Development Standards) shall not apply to a multi-purpose arena; rather:
 - 1. A multi-purpose arena shall be located a minimum of five hundred (500) feet from any existing building occupied for single-family purposes.
 - C. The maximum height of a multi-purpose arena shall be one hundred twenty-five (125) feet.
- (Ord. No. 1772, 7-23-93; Ord. No. 2203, § 1, 7-24-01)

5.107 Design Review.

- A. Design Review may be required as outlined in Section 3.600. Basic agricultural uses such as crops and grazing of livestock are exempt from the Design Review process.
 - B. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.108 Landscaping and Screening.

- A. Buffer and screening may be required for conditional use permit type activities as defined in Section 7.200.
 - B. No storage of fertilizer, odor, or dust producing substance or use shall be permitted within one hundred (100) feet of any adjacent property zoned for residential purposes.
- (Ord. No. 1772, 7-23-93)

5.109 Signs.

- A. See Section 7.100.
 - B. Notwithstanding Section 7.100, a sign package for a multi-purpose arena shall be approved by the city council at a public meeting.
- (Ord. No. 1772, § 5.109, 7-23-93; Ord. No. 2203, § 1, 7-24-01)

5.110 Parking.

See Section 7.400. A minimum of two (2) covered spaces per residential unit.

(Ord. No. 1772, 7-23-93)

Section 5.120 RURAL RESIDENTIAL RR-90, RR-45--Rural Residence.

5.121 Purpose.

These single residence districts seek to encourage and preserve very low density residential uses in unsubdivided areas of the city that may not require the full range of urban services. The intent of these districts is to provide a rural character with liberal livestock and animal provisions. Non-residential land uses within the districts are limited in nature to maintain a rural residential character.

(Ord. No. 1812, 7-12-94)

5.122 Permitted Uses.

- A. One (1) detached single residence dwelling per lot.
 - B. Public schools, parks, and playgrounds.
- (Ord. No. 1812, 7-12-94)

5.123 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
 - B. Guest House (occupancy limited to less than ninety (90) days total per calendar year), subject to administrative review as described in Section 5.213.
 - C. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.
 - D. Temporary construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.
 - E. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
- (Ord. No. 1812, 7-12-94; Ord. No 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.124 Uses Subject to Conditional Use Permit.

- A. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - B. Home child care center.
 - C. Private schools, excluding dormitories, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - D. Home Occupations (Class II): See Section 7.304.
 - E. Guest House, (occupancy of ninety (90) days total or more per calendar year), subject to administrative review as described in Section 5.213.
 - F. Game court, lighted.
 - G. Commercial horse riding, training, and boarding stables. Minimum sized parcel, ten (10) acres.
- (Ord. No. 1812, 7-12-94)

5.125 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Livestock, subject to Section 5.132.
- B. Agriculture, including the production of food and fiber crops, and tree farms. No on-site commercial sales of produce.
- C. Fences and walls. See Section 7.201.
 - 1. Front yard: maximum height-three (3) feet, except five (5) feet for woven wire field fence.
 - 2. Side or rear yard: maximum height-six (6) feet, except eight (8) feet when abutting an arterial street.

- D. Garage, enclosed storage, or barn.
 - E. Swimming pool.
 - F. Satellite earth station.
 - G. Amateur radio tower.
 - H. Game court, unlighted.
 - I. Home Occupations (Class I): See Section 7.304.
 - J. Yard sales, subject to Section 7.320.
 - K. Household pets.
 - L. Livestock corrals.
- (Ord. No. 1812, 7-12-94)

5.126 RR-90 Development Standards.

See Table 1.

(Ord. No. 1812, 7-12-94)

5.127 RR-45 Development Standards.

See Table 1.

(Ord. No. 1812, 7-12-94)

5.128 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1812, 7-12-94; Ord. No. 2002, § 3, 4-28-98)

5.129 Landscaping and Screening.

Nonresidential uses, subject to conditions or subject to conditional use permit, may require buffers from adjacent residences. See Section 7.200.

(Ord. No. 1812, 7-12-94)

5.130 Signs.

See Section 7.100.

(Ord. No. 1812, 7-12-94)

5.131 Parking.

A. A minimum of two (2) spaces per residential unit. One (1) space must be covered. Each space shall be independently accessible.

B. The parking of commercial vehicles is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than ten thousand (10,000) pounds gross vehicle weight rating (GVWR).

(Ord. No. 1812, 7-12-94)

5.132 Livestock.

A. Raising and grazing of livestock is permitted for a maximum of one (1) livestock animal per five thousand (5,000) square feet of open space. Two (2) swine shall be allowed per lot. The raising of poultry is permitted provided they are contained within a fence or cage. Male

fowl shall not be permitted within five hundred (500) feet of any residence or living space, including pool or patio, on an adjacent suburban residential, urban residential, or multiple residential zoned lot.

B. All livestock must be contained in a stock type fence and/or corral. No setback shall be required between such fence or corral when adjacent to property zoned agricultural, rural residential, or non-residential zoned lots. However, such fence or corral shall not be closer than one hundred (100) feet from any residence or living space, including pool or patio, on an adjacent suburban residential, urban residential, or multiple residential zoned lot.

C. Accessory buildings used specifically for permitted animals, subject to Section 7.300, provide they are located within the area fenced for animals and maintain the same front, side, and rear yard requirement as provided for the principal building.

(Ord. No. 1812, 7-12-94)

Section 5.200 SUBURBAN RESIDENTIAL

SR-30, SR-17, SR-12--Suburban Residence.

5.201 Purpose.

These single residence districts seek to encourage and preserve low density residential uses. The intent of these districts is also to reduce land use conflicts between urban and agriculture by providing a transition in intensity between rural and urban residential uses. Nonresidential land uses within the districts are limited in nature to maintain a residential character.

(Ord. No. 1772, 7-23-93)

5.202 Permitted Uses.

A. One (1) detached single residence dwelling per lot.

B. Public schools, parks, and playgrounds.

(Ord. No. 1772, 7-23-93)

5.203 Uses Subject to Conditions.

A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.

B. Guest House (occupancy limited to less than ninety (90) days total per calendar year), subject to administrative review as described in Section 5.213.

C. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.

D. Subdivision model home complexes, subject to administrative review as described in Sections 7.501 and 7.504.

E. Temporary office or construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.

F. Wireless communication facilities, subject to Sections 7.506 and 7.600.

1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.

2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.204 Uses Subject to Conditional Use Permit.

- A. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - B. Home child care center.
 - C. Private schools, excluding dormitories, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - D. Home Occupations (Class II): See Section 7.304.
 - E. Guest House, (occupancy of ninety (90) days total or more per calendar year), subject to administrative review as described in Section 5.213.
 - F. Game court, lighted.
 - G. Subdivision model home complexes with off-site sales: See Section 7.504.
 - H. Commercial boarding of horses-Minimum parcel size three (3) acres.
- (Ord. No. 1772, 7-23-93; Ord. No. 1954, § 1, 9-9-97; Ord. No. 1966, § 1, 10-28-97)

5.205 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Livestock, subject to Section 5.212. No commercial boarding/breeding is permitted.
- B. Fences and walls. See Section 7.201.
 - 1. Front yard: maximum height-three (3) feet.
 - 2. Side or rear yard: maximum height-six (6) feet, except eight (8) feet when abutting an arterial street.
- C. Garage, enclosed storage, or barn.
- D. Swimming pool.
- E. Satellite earth station.
- F. Amateur radio tower.
- G. Game court, unlighted.
- H. Home Occupations (Class I): See Section 7.304.
- I. Yard sales, subject to Section 7.320.
- J. Household pets.

(Ord. No. 1772, 7-23-93)

5.206 SR-30 Development Standards.

See Table 1.

(Ord. No. 1772, 7-23-93)

5.207 SR-17 Development Standards.

See Table 1.

(Ord. No. 1772, 7-23-93)

5.208 SR-12 Development Standards.

See Table 1.

(Ord. No. 1772, 7-23-93)

5.209 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. PRD district required to vary lot dimensions, building setbacks, and lot coverage.
- C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.210 Landscaping and Screening.

Nonresidential uses, subject to conditions or subject to conditional use permit, may require buffers from adjacent residences. See Section 7.200.
(Ord. No. 1772, 7-23-93)

5.211 Parking.

- A. A minimum of two (2) spaces per residential unit. One (1) space must be covered. Each space shall be independently accessible.
- B. The parking of commercial vehicles is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than ten thousand (10,000) pounds gross vehicle weight rating (GVWR).
- C. Parking and driveways are permitted as follows: (See Figure S-1)
 - 1. A parking area may not exceed forty (40) feet of contiguous area or fifty (50) percent of the lot width as measured at the front yard setback, whichever is less.
 - 2. Within the front yard, a parking/driveway area is only allowed between the garage or carport and the street, except an area contiguous to the allowed parking/driveway which is consistent with the dimensions in #1 above.
 - 3. No parking is permitted in the front yard when the parking area:
 - a. Is detached from the allowed parking/driveway area; or
 - b. Would result in an area greater than the allowable width as described in #1 above.
 - 4. Circular driveways and similar circulation may be permitted within the front yard so long as:
 - a. No long term resident parking occupies such circular drive; and
 - b. The front yard contains no more than fifty (50) percent of the total square footage in parking/driveway or other circulation.
(Ord. No. 1772, 7-23-93)

5.212 Livestock.

- A. Raising and grazing of livestock, excluding swine, is permitted for a maximum of one (1) animal per ten thousand (10,000) square feet of open space. The raising of poultry with the exception of male fowl, is permitted provided they are contained within a fence or cage.
- B. All livestock must be contained in a stock type fence and/or corral. Such fence or corral shall not be permitted closer than one hundred (100) feet from any residence or living space on an adjacent lot including pool and patio. For corner lots, no such fence or corral shall be located closer to the side right-of-way line than the principal building.
- C. Accessory buildings used specifically for permitted animals, subject to Section 7.300, provided they are located within the area fenced for animals and maintain the same front, side, and rear yard requirement as provided for the principal building.

(Ord. No. 1772, 7-23-93)

5.213 Guest House.

Living quarters for guests or servants on the premises in an accessory building or attached to the principal residence which:

- A. Is not more than six hundred (600) square feet;
- B. Is constructed of similar materials, colors, and architectural style to the principal residence;
- C. Meets all lot coverage and height requirements for accessory buildings;
- D. Meets setback requirements for a residence;
- E. Has no separate water or utility meters;
- F. Has no separate address from the principal residence;
- G. Has no separate driveway or parking area from that of the principal residence;
- H. Is used for temporary residence and is not used for rental purposes separate from the principal structure; and
- I. The Planning Department shall maintain an administrative record, including site and floor plans.

(Ord. No. 1772, 7-23-93)

Section 5.300 URBAN RESIDENTIAL

R1-10, R1-8, R1-7--Single Residence.

5.301 Purpose.

These districts are to provide for the protection of the established neighborhood and development of a variety of single residence detached dwellings, and for certain neighborhood facilities such as churches and schools which are related, incidental, and not detrimental to the residential environment. The following regulations shall apply in the R1-10, R1-8 and R1-7 districts.

(Ord. No. 1772, 7-23-93; Ord. No. 2090, § 1, 7-27-99)

5.302 Permitted Uses.

- A. One (1) detached single residence dwelling per lot.
- B. Public schools, parks, and playgrounds.

(Ord. No. 1772, 7-23-93)

5.303 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.
- C. Subdivision model home complexes, subject to administrative review as described in Sections 7.501 and 7.504.
- D. Temporary office or construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.
- E. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.

2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.304 Uses Subject to Conditional Use Permit.

- A. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - B. Home child care center.
 - C. Private schools, excluding dormitories, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - D. Home Occupations (Class II): See Section 7.304.
 - E. Subdivision model home complexes with off-site sales: See Section 7.504.
- (Ord. No. 1772, 7-23-93; Ord. No. 1954, § 1, 9-9-97)

5.305 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
 - 1. Front yard: maximum height-three (3) feet.
 - 2. Side or rear yard: maximum height-six (6) feet, except eight (8) feet when abutting an arterial street.
 - B. Garage or enclosed storage.
 - C. Swimming pool.
 - D. Satellite earth station.
 - E. Amateur radio tower.
 - F. Home Occupations (Class I): See Section 7.304.
 - G. Yard sales, subject to Section 7.320.
 - H. Household pets.
- (Ord. No. 1772, 7-23-93)

5.306 R1-10 Development Standards.

See Table 1.
(Ord. No. 1772, 7-23-93)

5.307 R1-8 Development Standards.

See Table 1.
(Ord. No. 1772, 7-23-93)

5.308 R-7 Development Standards.

See Table 1.
(Ord. No. 1772, 7-23-93)

5.309 Reserved.

Editor's note: Ordinance No. 2090, § 2, adopted July 27, 1999, repealed § 5.309, R1-6 development standards, as derived from Ord. No. 1772, 7-23-93.

5.310 Design Review.

- A. Design Review is required as outlined in Section 3.600.
 - B. PRD district required to vary lot dimensions, building setbacks, and lot coverage.
 - C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.311 Landscaping and Screening.

Nonresidential uses, subject to conditions or subject to conditional use permit, may require buffers from adjacent residences. See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.312 Parking.

- A. A minimum of two (2) spaces per residential unit. One (1) space must be covered. Each space shall be independently accessible.
- B. The parking of commercial vehicles is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than ten thousand (10,000) pounds gross vehicle weight rating (GVWR).
- C. Parking and driveways are permitted as follows: (See Figures R-1 and R-2)
 - 1. A parking area may not exceed thirty (30) feet of contiguous area or fifty (50) percent of the lot width as measured at the front yard setback, whichever is less.
 - 2. Within the front yard, a parking/driveway area is only allowed between the garage or carport and the street, except an area contiguous to the allowed parking/driveway which is consistent with the dimensions in #1 above.
 - 3. No parking is permitted in the front yard when the parking area:
 - a. Is detached from the allowed parking/driveway area; or
 - b. Would result in an area greater than the allowable width as described in #1 above.
 - 4. Circular driveways and similar circulation may be permitted within the front yard so long as:
 - a. No long term resident parking occupies such circular drive; and
 - b. The front yard contains no more than fifty (50) percent of the total square footage in parking/driveway or other circulation.

(Ord. No. 1772, 7-23-93)

Section 5.313 R1-6--Single Residence.

5.314 Purpose.

The purpose of this district is to maintain the character of undeveloped and developed properties with R1-6 zoning, accommodate certain neighborhood facilities such as churches and schools with existing R1-6 zoning, and to allow the application of new R1-6 zoning only in the special circumstances identified in the required findings for the district.

(Ord. No. 2090, § 1, 7-27-99)

5.315 Permitted Uses.

- A. One (1) detached single residence dwelling per lot.

B. Public schools, parks, and playgrounds.
(Ord. No. 2090, § 3, 7-27-99)

5.316 Uses Subject to Conditions.

A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.

B. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.

C. Subdivision model home complexes subject to administrative review as described in Sections 7.501 and 7.504.

D. Temporary office or construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.

(Ord. No. 2090, § 1, 7-27-99; Ord. No. 2386, § 2, 6-22-04)

5.317 Uses Subject to Conditional Use Permit.

A. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

B. Home child care center.

C. Private schools, excluding dormitories, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

D. Home Occupation (Class II): See Section 7.304.

E. Subdivision model home complexes with off-site sales: See Section 7.504.

(Ord. No. 2090, § 1, 7-27-99)

5.3180 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

A. Fences and walls. See Section 7.201.

1. Front yard: Maximum height-Three (3) feet.

2. Side or rear yard: Maximum height-Six (6) feet, except eight (8) feet when abutting an arterial street.

B. Garage or enclosed storage.

C. Swimming pool.

D. Satellite earth station.

E. Amateur radio tower.

F. Home occupations (Class I): See Section 7.304.

G. Yard sales subject to Section 7.320.

H. Household pets.

(Ord. No. 2090, § 3, 7-27-99)

5.3181 Development Standards.

See Table 1-Page 5-18.

(Ord. No. 2090, § 3, 7-27-99)

5.3182 Design Review.

A. Design Review required as outlined in Section 3.600.

B. PRD district required to vary lot dimensions, building setbacks, and lot coverage.
(Ord. No. 2090, § 3, 7-27-99)

5.3183 Landscaping and screening.

Nonresidential uses, subject to conditions or subject to conditional use permit, may require buffers from adjacent residences. See Section 7.200.
(Ord. No. 2090, § 3, 7-27-99)

5.3184 Parking.

Refer to Section 5.312.
(Ord. No. 2090, § 3, 7-27-99)

5.3185 Required findings.

Applications for new R1-6 zoning shall not be approved unless the city council determines that the request meets one or more of the following findings:

- A. The property is located within a designated redevelopment area.
 - B. The property is a small or irregularly shaped parcel within a developed neighborhood with physical barriers that preclude expansion of the development.
 - C. The property is located within the boundaries of an infill incentive area established by the city council.
 - D. The proposed rezoning will result in a significant reduction in the number of future dwelling units permitted on the property.
- (Ord. No. 2090, § 3, 7-27-99)

Section 5.320 R1-4--Single Residence.

5.321 Purpose.

Preserve and provide for urban detached or attached single residence housing. The primary intent of this district is to encourage the establishment of functional and attractively designed patio home developments. The subdivision and housing product shall be designed for rear yard privacy and useable private open space.
(Ord. No. 1772, 7-23-93)

5.322 Permitted Uses.

- A. One (1) detached or attached single residence dwelling per lot.
 - B. Public schools, parks, and playgrounds.
- (Ord. No. 1772, 7-23-93)

5.323 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.
- C. Subdivision model home complexes, subject to administrative review as described in Sections 7.501 and 7.504.
- D. Temporary office or construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.

- E. Home Occupations (Class I): See Section 7.304.
 - F. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.324 Uses Subject to Conditional Use Permit.

- A. Home child care center.
 - B. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - C. Private schools, excluding dormitories, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
 - D. Home Occupations (Class II): See Section 7.304.
 - E. Subdivision model home complexes with off-site sales: See Section 7.504.
- (Ord. No. 1772, 7-23-93; Ord. No. 1954, § 1, 9-9-97)

5.325 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
 - B. Garage or enclosed storage.
 - C. Swimming pool.
 - D. Satellite earth station.
 - E. Amateur radio tower.
 - F. Home Occupations (Class I): See Section 7.304.
 - G. Yard sales, subject to Section 7.320.
 - H. Household pets.
- (Ord. No. 1772, 7-23-93)

5.326 Development Standards.

See Table 1.
(Ord. No. 1772, 7-23-93)

5.327 Design Review.

- A. Design Review is required as outlined in Section 3.600.
 - B. PRD district required to vary lot dimensions, building setbacks, and lot coverage.
 - C. Maintenance and drainage easement is required for any zero (0) lot line.
 - D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.328 Landscaping and Screening.

Nonresidential uses, subject to conditions or subject to conditional use permit, may require buffers from adjacent residences. See Section 7.200.
(Ord. No. 1772, 7-23-93)

5.329 Parking.

A minimum of two (2) spaces per residential unit. One (1) space shall be covered. Each space shall be independently accessible.
(Ord. No. 1772, 7-23-93)

Table 1 Single Residence Districts Development Standards									
District	Min. Net Lot Area	Min. Width	Min. Depth	Min. Setback¹				Max. Structure Ht.¹	Max. % Lot Coverage
				Front	Rear	Side	Street Side		
A-1	40 acres	N/A	N/A	75	50	50	50	30	10
RR-90	90,000	175	275	40	40	25	25	30	20
RR-45	45,000	125	200	40	40	25	25	30	20
SR-30	30,000	125	175	40	40	20	20	30	25
SR-17	17,000	110	130	25	30	15	15	30	30
SR-12	12,000	100	120	25	25	10	10	30	35
R1-10	10,000	90	100	15-20²	25	10	10	30	40
R1-8	8,000	80	100	15-20²	20	5 & 10⁴	10	30	40
R1-7	7,000	70	100	15-20²	20	5 & 10⁴	10	30	40
R1-6	6,000	60	100	15-20²	20⁵	5 & 10⁴	10	30	40
R1-4	4,000	40	80	15-20	15	0 to 10³	10	30	45

¹ – Two story maximum, refer to Section 7.300 for accessory buildings.

² – 15 feet to living area, 20 feet to garages or carport.

³ – Minimum 10 feet separation between buildings on adjacent lots.

⁴ – Minimum 15 feet separation between buildings on adjacent lots.

⁵ – Minimum 15 feet for subdivisions approved prior to the effective date of this ordinance.

(Ord. No. 1772, 7-23-93; Ord. No. 1812, 7-12-94)

Section 5.400 MULTIPLE RESIDENCE.

Section 5.410 R-2 – Mixed Residence.

5.411 Purpose.

This district provides a transition from urban single residence districts to a mixture of residential land uses which include low-density, multiple-residence dwellings. The intent of the district is to preserve and encourage the development of a variety of attached and detached housing units which include common open space and recreational amenities. The district

encourages the clustering of single residence units which can provide a varied residential environment.

(Ord. No. 1772, 7-23-93)

5.412 Permitted Uses.

- A. Single residence dwelling.
- B. Two (2) attached or detached single residence dwellings per lot.
- C. Multiple residence dwellings.
- D. Public schools, parks, and playgrounds.

(Ord. No. 1772, 7-23-93)

5.413 Uses Subject to Conditions.

A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.

B. Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled and Supervisory Care Facilities, subject to administrative review as described in Sections 7.501 and 7.502.

C. Subdivision model home complexes, subject to administrative review as described in Sections 7.501 and 7.504.

D. Temporary office or construction trailers, subject to administrative review as described in Sections 7.501 and 7.505.

E. Wireless communication facilities, subject to Sections 7.506 and 7. 600.

1. Building mounted antennas may locate on buildings used for nonresidential uses including churches, schools, public buildings, and other institutional uses.

2. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for nonresidential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.414 Uses Subject to Conditional Use Permit.

A. Child care center or home child care center.

B. Private schools, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

C. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

D. Home Occupations (Class II): See Section 7.304.

(Ord. No. 1772, 7-23-93)

5.415 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

A. Fences and walls. See Section 7.201.

B. Garage or enclosed storage.

C. Swimming pool.

D. Satellite earth station.

- E. Amateur radio tower.
- F. Home Occupations (Class I): See Section 7.304.
- G. Yard sales, subject to Section 7.320.
- H. Household pets.

(Ord. No. 1772, 7-23-93)

5.416 Development Standards.

See Table 2.

(Ord. No. 1772, 7-23-93)

5.417 Design Review.

- A. Design review is required as outlined in Section 3.600.
- B. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.418 Landscaping and Screening.

- A. Uses subject to conditions-require buffers within zoning district.
- B. Nonresidential uses, subject to use permit. See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.419 Parking.

Two (2) spaces for single residence dwellings, one (1) covered space required. Multiple residence dwellings, see Section 7.400. Each space shall be independently accessible.

(Ord. No. 1772, 7-23-93)

Section 5.420 R-3 – Multiple-Residence.

5.421 Purpose.

The district provides for medium density urban residential development. The intent of the district is to allow a variety of building types, including apartments, town houses, and clustered housing.

(Ord. No. 1772, 7-23-93)

5.422 Permitted Uses.

- A. Single residence dwelling.
- B. Multiple-residence dwellings.
- C. Boardinghouse.
- D. Public schools, parks, and playgrounds.

(Ord. No. 1772, 7-23-93)

5.423 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled and Supervisory Care Facilities, subject to administrative review as described in Sections 7.501 and 7.502.

- C. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for nonresidential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Wall mounted antennas are permitted subject to applicable design guidelines.
 - 3. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for nonresidential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.424 Uses Subject to Conditional Use Permit.

- A. Child care center or home child care center.
- B. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- C. Private schools, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- D. Shelter care facilities.
- E. Nursing homes.
- F. Home Occupations (Class II): See Section 7.304.
- G. Congregate care facility.

(Ord. No. 1772, 7-23-93)

5.425 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
- B. Garage, carports, or enclosed storage.
- C. Swimming pool, recreational facilities, or laundry facilities.
- D. Satellite earth station.
- E. Amateur radio tower.
- F. Home Occupations (Class I): See Section 7.300.

(Ord. No. 1772, 7-23-93)

5.426 Development Standards.

See Table 2.

Density-Required property area per dwelling unit:

The parcel area required per unit decreases with the increase in number of dwelling units:

1 Residential unit	5,000 sq. ft. per unit
2 – 4 Residential units	4,000 sq. ft. add./unit
5 – 8 Residential units	3,500 sq. ft. add./unit
9 or more Residential units	2,700 sq. ft. add./unit

(Ord. No. 1772, 7-23-93)

5.427 Design Review.

- A. Design review is required as outlined in Section 3.600.
 - B. Private open space requirement per dwelling unit, patio or balcony-one hundred twenty-five (125) square feet.
 - C. Common open space requirement-minimum thirty (30) percent of site exclusive of parking areas.
 - D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.428 Landscaping and Screening.

- A. Multiple residence structures exceeding one (1) story in height adjacent to any single residence district shall maintain a minimum setback of forty (40) feet.
 - B. Nonresidential uses, subject to use permit. See Section 7.200.
- (Ord. No. 1772, 7-23-93)

5.429 Parking.

Two (2) spaces for single residence dwellings, one (1) covered space required. Multiple residence dwellings, see Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.430 R-4 – Multiple Residence.

5.431 Purpose.

This district provides for and encourages development of multiple residence dwellings, which include varied project amenities. The intent of the district is to permit high-density urban development with a mixture of uses of a similar intensity.

(Ord. No. 1772, 7-23-93)

5.432 Permitted Uses.

- A. Single residence dwellings.
 - B. Multiple-residence dwellings.
 - C. Public schools, parks, and playgrounds.
 - D. Boardinghouse.
- (Ord. No. 1772, 7-23-93)

5.433 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled and Supervisory Care Facilities, subject to administrative review as described in Sections 7.501 and 7.502.
- C. Wireless communication facilities, subject to Section 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.

2. Wall mounted antennas are permitted subject to applicable design guidelines.

3. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.434 Uses Subject to Conditional Use Permit.

- A. Child care center.
- B. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- C. Private schools, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- D. Shelter care facilities.
- E. Nursing homes.
- F. Home Occupations (Class II): See Section 7.304.
- G. Congregate care facility.

(Ord. No. 1772, 7-23-93)

5.435 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
 - B. Garage or enclosed structure.
 - C. Swimming pool.
 - D. Satellite earth station.
 - E. Amateur radio tower.
 - F. Home Occupations (Class I): See Section 7.304.
- (Ord. No. 1772, 7-23-93)

5.436 Development Standards.

See Table 2.

Density-Required parcel area per dwelling unit.

A. The parcel area required per unit decreases with the increase in number of dwelling units:

1 Residential unit	5,000 sq. ft. per unit
2 – 4 Residential units	4,000 sq. ft. add./unit
5 – 8 Residential units	3,500 sq. ft. add./unit
9 or more Residential units	2,175 sq. ft. add./unit

B. Parcels of five (5) acres or larger shall be at a maximum density of twenty (20) dwelling units per gross acre.
(Ord. No. 1772, 7-23-93)

5.437 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. Private open space requirement per dwelling unit, patio, or balcony-one hundred (100) square feet.
- C. Common open space requirement-minimum thirty (30) percent of site exclusive of parking areas.
- D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.438 Landscaping and Screening.

- A. Multiple residence structures exceeding one (1) story in height adjacent to any single residence district shall maintain a minimum setback of forty (40) feet.
- B. Nonresidential uses, subject to use permit. See Section 7.200.
(Ord. No. 1772, 7-23-93)

5.439 Parking.

Two (2) spaces for single residence dwellings, one (1) of which shall be covered. Multiple residence dwellings, see Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.440 R-5 – Multiple Residence.

5.441 Purpose.

Provide high-density urban residential development in locations consistent with the General Plan. This district's intent is to accommodate multi-story residential within downtown and designated activity centers.
(Ord. No. 1772, 7-23-93)

5.442 Permitted Uses.

- A. Multiple-residence dwellings.
- B. Boardinghouse.
(Ord. No. 1772, 7-23-93)

5.443 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled and Supervisory Care Facilities, subject to administrative review as described in Sections 7.501 and 7.502.
- C. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Wall mounted antennas are permitted subject to applicable design guidelines.
 - 3. Alternative structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.444 Uses Subject to Conditional Use Permit.

- A. Child care center.
- B. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- C. Private schools, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.
- D. Shelter care facilities.
- E. Nursing homes.
- F. Home Occupations (Class II): See Section 7.304.
- G. Congregate care facility.

(Ord. No. 1772, 7-23-93)

5.445 Accessory Uses.

Uses which are customary and incidental to the principal use of the property. All accessory uses are subject to Section 7.300.

- A. Fences and walls. See Section 7.201.
- B. Garage or enclosed structure.
- C. Swimming pool.
- D. Satellite earth station.
- E. Amateur radio tower.
- F. Home Occupations (Class I): See Section 7.304.

(Ord. No. 1772, 7-23-93)

5.446 Development Standards.

See Table 2.

(Ord. No. 1772, 7-23-93)

5.447 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. Private open space requirement per dwelling unit, balcony, or patio-seventy-five (75) square feet.
- C. Common open space requirement minimum of twenty-five (25) percent of site exclusive of parking areas.
- D. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.448 Landscaping and Screening.

Multiple residence structures exceeding thirty (30) feet in height adjacent to any single residence district shall maintain a minimum setback of fifty (50) feet.

(Ord. No. 1772, 7-23-93)

5.449 Parking.

See Section 7.400.

(Ord. No. 1772, 7-23-93)

Table 2 Multiple Residence Districts Development Standards								
District	Min. Net Lot Area	Min. Width	Min. Depth	Min. Perimeter Setback	Max. Density Gross Acre	Min. Open Space %	Max. Structure Ht. ²	Max. % Lot Coverage
R-2	10,000	60	94	15 ³	12	30	30 ¹	50
R-3	6,000	60	94	20 ³	16	30	30 ¹	50
R-4	6,000	60	94	20 ³	20	30	30 ¹	50
R-5	43,560	N/A	N/A	20 ⁴	30	25	48 ²	55

¹ – Two story maximum for principal buildings, refer to Section 7.300 for accessory buildings.

² – Four story maximum for principal buildings, refer to Section 7.300 for accessory buildings.

³ – Setbacks increase 1 foot to 1 foot ratio for buildings over 20 feet.

⁴ – Setbacks increase 6 inches per one (1) foot in height over 20 feet.

(Ord. No. 1772, 7-23-93)

Section 5.500 R-O – Residential Office.

5.501 Purpose.

Provide for low-intensity professional office uses developed on a residential scale. The district serves as a transition between more intense commercial areas and residential land uses. It allows for residential use and office use of residential structures in areas transitioning to limited office uses. The district is to provide compatible residential conversions or new office construction consistent with adjacent residential uses. Site development standards are directed at screening of parking lots and controlled vehicular access.

(Ord. No. 1772, 7-23-93)

5.502 Permitted Uses.

- A. Single-residence occupied by owner or employee of business on the property.
- B. Professional offices.
- C. Administrative and business offices provided that no goods, merchandise, or vehicles are sold, repaired, displayed, or exchanged.

(Ord. No. 1772, 7-23-93)

5.503 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Adult Care Homes, Juvenile Group Homes and Group Homes for the disabled, subject to administrative review as described in Sections 7.501 and 7.502.
- C. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas may locate on buildings used for non-residential uses including churches, schools, public buildings, and other institutional uses.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property

developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2386, § 2, 6-22-04)

5.504 Uses Subject to Conditional Use Permit.

- A. Home child care center.
- B. Churches, on property located at the intersection of two (2) collector streets or fronting or siding on an arterial street.

(Ord. No. 1772, 7-23-93)

5.505 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Fences and walls. See Section 7.201.
- B. Garage or enclosed storage.
- C. Swimming pool.
- D. Satellite earth station.
- E. Amateur radio tower.

(Ord. No. 1772, 7-23-93)

5.506 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.507 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. Building scale and architectural style must be consistent with adjacent or planned residential development.
- C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.508 Landscaping and Screening.

Landscape buffer and screen walls as defined in Section 7.200.

(Ord. No. 1772, 7-23-93)

5.509 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.510 Parking.

- A. Access to parking for all nonresidential uses shall be provided from arterial or collector street.
- B. No parking space shall be located closer than ten (10) feet to a side or rear property line.
- C. No vehicle maneuvering or parking area shall be in the front yard of the development except for ingress and egress to allowable parking areas.

D. See Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.520 C-O – Commercial Office.

5.521 Purpose.

The commercial office district provides for financial and professional service offices located on arterial streets or adjacent to commercial areas. It may be in proximity to other businesses or provide a transition between commercial uses and adjacent residential development. The intent is to accommodate office development at an intermediate scale with strict performance controls.

(Ord. No. 1772, 7-23-93)

5.522 Permitted Uses.

- A. Professional offices.
- B. Business offices, provided that no goods or merchandise are sold, repaired, displayed, or exchanged except as directly related to the principal use.
- C. Financial institutions, real estate, and insurance offices.
- D. Medical and clinical laboratories, maximum floor area-five thousand (5,000) square feet.
- E. Libraries and museums.
- F. Business trade schools, provided that all facilities are within fully-enclosed structures.

(Ord. No. 1772, 7-23-93)

5.523 Uses Subject to Conditions.

- A. Public utility facilities required for local service, provided that there are no offices, maintenance facilities, outdoor storage, or full-time employees related to the site.
- B. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and roof top mounted antennas.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.524 Uses Subject to Conditional Use Permit.

- A. Child care center.
- B. Single residence dwelling occupied by owner or employee of business on the property.
- C. Veterinary offices with no boarding of animals.
- D. Restaurant-full service.
- E. Churches.
- F. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
- G. Wireless communication facilities-alternative design tower structure.

H. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.

I. Financial institutions with drive-through service.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2105, § 1, 10-26-99)

5.525 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Fences and walls. See Section 7.201.
- B. Garage or enclosed storage.
- C. Satellite earth station.
- D. Automatic teller machine.
- E. Amateur radio tower.

(Ord. No. 1772, 7-23-93)

5.526 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.527 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. Refer to Commercial Design Expectations.
- C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.528 Landscaping and Screening.

Screen wall and landscape buffer required adjacent to single residence districts, or multi-residence districts. See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.529 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.530 Parking.

See Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.540 G-O – General Office.

5.541 Purpose.

Provide for large multiple-story office development which includes a building or cluster of buildings that provide professional office uses, support retail, and office support services. The district is to provide for major employment concentrations with projects designed to be compatible with surrounding residential uses.

(Ord. No. 1772, 7-23-93)

5.542 Permitted Uses.

- A. Professional, administrative, or business offices.
 - B. Hospitals.
 - C. Business support services.
 - D. Personal service businesses, such as beauty shops and barber shops.
 - E. Financial institutions, real estate and insurance offices.
 - F. Medical and dental offices and clinics.
 - G. Commercial off-street parking not accessory to a permitted use.
 - H. Libraries and museums.
 - I. Business trade schools, provided that all facilities are within fully-enclosed structures.
 - J. Medical and clinical laboratories.
- (Ord. No. 1772, 7-23-93)

5.543 Uses Subject to Conditions.

- A. Retail stores integrated into office building, not to exceed five thousand (5,000) square feet.
 - B. Restaurants integrated into ground level of multi-story office structures, excluding drive-in and drive-thru facilities.
 - C. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.544 Uses Subject to Conditional Use Permit.

- A. Child care center.
 - B. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
 - C. Wireless communication facilities-alternative design tower.
 - D. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.
 - E. Financial institutions with drive-through service.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2105, § 1, 10-26-99)

5.545 Accessory Uses.

- Uses which are customary and incidental to the principal use of the property.
- A. Parking structures and parking lots.
 - B. Transit facilities.
 - C. Satellite earth station.
 - D. Automatic teller machine.
 - E. Amateur radio tower.
- (Ord. No. 1772, 7-23-93)

5.546 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.547 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. Refer to Commercial Design Expectations.

C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.548 Landscaping and Screening.

See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.549 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.550 Parking.

Access to parking shall be from arterial or collector street. See Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.600 DOWNTOWN

Section 5.610 PR – Pedestrian Retail

5.611 Purpose.

The intent of the Pedestrian-Retail District is to promote and maintain the character of a pedestrian-oriented retail district by encouraging the maintenance and improvement of the pedestrian environment, protecting and improving the economic viability of the district, ensuring new buildings are designed to be compatible with human scale, and reducing conflicts between pedestrians and vehicular traffic. The district encourages pedestrian retail and service activities where shoppers will visit several stores after parking or arriving by public transit.

(Ord. No. 1772, 7-23-93)

5.612 Permitted Uses.

A. Specialty retail uses including, but not limited to, gift shops, bookstores, and florists;

B. Antiques, crafts, and collectibles sales;

C. Apparel and accessories;

D. Art galleries and art studios, including working production studios;

E. Bakeries, retail only;

F. Drugstores;

G. Hardware stores, not exceeding seven thousand five hundred (7,500) square feet;

H. Professional, business, and administrative offices;

I. Personal service businesses, such as beauty shops and barber shops;

J. Residential units, when located above the first floor;

K. Restaurants, cafeterias, taverns, bars, delicatessens, self-service and take-out restaurants, and outdoor dining allowed when ancillary to restaurant use, and catering services, when ancillary to a primary restaurant use;

L. Retail banking and financial services, functions not exceeding seven thousand five hundred (7,500) square feet;

M. Retail grocery, not exceeding seven thousand five hundred (7,500) square feet.
(Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96)

5.612A Uses subject to conditions.

Wireless communication facilities, subject to Sections 7.506 and 7.600.

1. Building mounted antennas and rooftop mounted antennas.
2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
(Ord. No. 2002, § 3, 4-28-98)

5.613 Uses Subject to Conditional Use Permit.

- A. Automotive service facilities and gasoline sales, when located in a parking structure;
- B. Indoor commercial recreation facilities;
- C. Child care center;
- D. Drive-thru facilities as part of a retail banking operation;
- E. Entertainment uses, including museums, theaters, cinemas, auditoriums, and places of public assembly, excluding adult theaters and adult live entertainment;
- F. Hotels;
- G. Commercial off-street parking, not accessory to a permitted or conditionally permitted use;
- H. Parking structures;
- I. Health clubs;
- J. Laundry, cleaning, and dry cleaning establishments, limited as follows:
 1. Minimum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- K. Retail copying and printing businesses.
(Ord. No. 1772, 7-23-93; Ord. No. 2062, § 1, 2-23-99)

5.614 Prohibited Uses.

The following uses, which are automobile-oriented, are contrary to the concept of a pedestrian-oriented retail downtown, and they are, therefore, not permitted in the PR district:

- A. Automotive service uses, except as permitted above;
- B. Distribution and wholesale facilities;
- C. Sales of automobiles, motorcycles, motor homes, and boats;
- D. Convenience uses as defined in Section 2.300.
(Ord. No. 1772, 7-23-93)

5.615 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Satellite earth station.
- B. Amateur radio tower.
- C. Automatic teller machine.

(Ord. No. 1772, 7-23-93)

5.616 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.617 Development Standards.

See Table 3.

A. Lot Coverage. The minimum lot coverage shall not be less than sixty-five (65) percent of the net lot area.

B. Lot Size. No minimum lot size is required, but each lot must have a minimum of twenty-five (25) feet of frontage on a public street. For the purpose of this section, an alley is not considered a public street.

(Ord. No. 1772, 7-23-93)

5.618 Performance Standards.

The following standards and restrictions shall apply to all properties within this district:

A. Outdoor sales and display are prohibited, except where one (1) or more of the following conditions are present:

1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in a permanent building on the property.

2. Outdoor sales and displays do not interfere with pedestrian accessways, fire lanes, required parking spaces, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

B. All retail and service activities must be within an enclosed building except automotive service stations, parking lots, or drive-thru facilities.

C. There shall be no manufacturing, compounding, processing, or treatment of products, except as otherwise permitted and other than that which are clearly incidental to a retail store or business.

D. Demolition of Buildings.

1. Except in cases of public emergency and designation of an unsafe structure by the Building Safety Director, no permit for the demolition of any building in the PR district shall be issued unless an application for a building permit for work to replace the building to be demolished has been filed with and approved by the Community Development Group.

2. Any lot within this district kept vacant for more than one hundred eighty (180) days following the demolition of any buildings thereon shall be

landscaped and thereafter maintained in good order. Landscaping shall be in accordance with a plan approved by the Community Development Group.

E. Vacant Buildings. The appearance of vacant buildings does not contribute to the creation of a pedestrian environment in a downtown area. Since vacant buildings may inhibit the growth of the retail environment, special provisions are necessary to mitigate the impact of vacant buildings in the Pedestrian Retail District.

The following regulations shall apply to all vacant retail space and are in addition to other requirements:

1. All windows and other openings of a vacant structure shall provide a window display or window covering that is aesthetically compatible with the structure;
2. Windows that are “boarded-up” shall not be considered a window covering;
3. Upon receipt of a notice of noncompliance with this section, the property owner shall have thirty (30) days in which to provide the window display or covering;
4. Failure to provide the window display within the thirty (30) day period shall result in a violation of this section.

F. Facade Transparency Requirements.

1. Measured from floor level to the finished ceiling, at least seventy (70) percent of the total area of all new or reconstructed first story storefronts that face a public street shall be transparent. Only clear or lightly tinted glass in windows, doors, and display windows shall be considered transparent. Transparent areas shall allow views into the structure or into display windows from the outside.

2. Glass block, etched and sand blasted, or stained glass are allowed and are counted as opaque material.

G. Blank Facade Limits.

1. Any portion of the facade which is not transparent shall be considered to be a portion of the blank facade.

2. For each street frontage, the total of all blank facade segments shall not exceed seventy (70) percent of the street level facade of the structure. Blank facade limitations apply to the area of the facade between two (2) feet and eight (8) feet above the sidewalk.

3. Blank facades shall be limited to segments of thirty (30) feet in width when enhanced by architectural detailing, art work, landscaping, or similar features that have visual interest. All other blank facades are limited to fifteen (15) feet in width.

4. Entrances to buildings shall be separated by not more than fifty (50) feet on average for the linear frontage of the buildings on each block face. Separate pedestrian entrances shall be required for each fifteen thousand (15,000) square feet of street level use. Pedestrian entries may open on to either the public right-of-way or an open air passageway leading to the public right-of-way.

H. Outdoor Sidewalk Cafes.

1. Purpose. In order to animate the downtown environment and complement retail and cultural activities recommended in the Downtown Urban

Design Plan, it is the policy of the City to encourage the establishment of outdoor sidewalk cafes on private property and within public rights-of-way. Minimum dimensional and performance standards are established to ensure cafe design is functionally compatible with other needs and provides for the protection of public health, safety and welfare.

2. Outdoor sidewalk cafes are permitted on any public right-of-way within the pedestrian retail district, subject to administrative review and compliance with the following performance standards.

3. Standards.

a. Outdoor sidewalk cafes must not obstruct sidewalk pedestrian traffic or create public health and safety hazards. All sidewalks must maintain a six (6) foot minimum clear dimension between the outside edge of any sidewalk cafe fixture and any fixed element within sidewalk right-of-way.

b. Outdoor sidewalk cafes may be open, partially covered, or enclosed by means of umbrellas, awnings, canopies, or similar protective structure.

(1) Partially covered or enclosed cafes must be constructed of material that is predominantly transparent. Glass must be clear, not heavily tinted or mirrored. Base walls can not be greater than eighteen (18) inches in height. The outside window height can not be less than eight (8) feet. All permanent structures must meet building code requirements.

(2) Roof material covering an outdoor cafe may be temporary, fixed, or retractable and can extend into the public right-of-way from the face of the building a maximum distance of ten (10) feet from face of building. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.

(3) Permanent enclosed sidewalk cafe structures must be constructed of non-combustible material.

c. A decorative barrier element separating outdoor cafe seating area from adjacent pedestrian traffic shall be provided. The design and materials of such barrier element must complement and be compatible to the architectural design of the restaurant building facade.

d. Enclosed cafes must be used only as seating areas. Storage, kitchen, or rest room uses are not allowed. The seating must be movable.

e. All outdoor and enclosed sidewalks must be level with sidewalk, and handicap accessible.

f. Decorative/accent lighting may be incorporated into the outdoor cafe structure, awning, canopy, etc., and must meet all City Code requirements.

(Ord. No. 1772, 7-23-93)

5.619 Parking.

A. Off-Street Parking. The parking requirements of the pedestrian retail district differ from those in other areas of the city. The parking requirements for new uses shall be determined by the Planning Director in conjunction with the design review process prescribed in Section

3.600. Review and findings shall be based on existing on-street parking, parking for existing uses, and other available parking in the district. The parking requirements shall be determined by the Planning Director in conjunction with the design review process prescribed in Section 3.600.

B. Off-Street Parking Facilities.

1. All required off-street parking spaces shall be located on the same lot or a contiguous lot or lots under the same ownership as the building or use for which the parking is accessory. Parking spaces shall be located in the rear of structures to avoid visibility from public streets, and should be accessed, when possible, from alleys.

2. Except where provided by the City or an improvement district, required parking on a site separate from the use served shall meet one (1) of the following conditions:

a. Same ownership. A legal instrument satisfactory to the City Attorney shall be recorded requiring maintenance of the required number of spaces on the site.

b. Leasehold. The minimum lease term shall be five (5) years. A legal instrument satisfactory to the City Attorney shall be recorded requiring cessation of a use served if access to the leased parking is terminated without substitution of parking meeting the requirements of this section.

3. Except where provided by the City or an improvement district, required parking spaces for customers shall be within two hundred (200) feet and for employees within four hundred (400) feet of the entrance of the served use via the shortest public pedestrian route.

4. Bicycle Parking.

a. Bicycle parking facilities may be substituted for automobile parking spaces at a ratio of eight (8) bicycle parking spaces for one (1) required vehicle parking space, up to a maximum of two (2) percent of the vehicle spaces required.

b. Bicycle parking facilities shall include provision for locking of bicycles, either in lockers or in secure racks in which the bicycle frame and wheels may be locked by the user. Bicycle spaces shall be at least as convenient as the most convenient automobile spaces and shall be protected from damage by automobiles.

5. Parking Structures.

a. At least seventy-five (75) percent of ground floor parking garage frontage on public streets, exclusive of the entrance driveways, shall consist of retail space. Ground level landscaping is required when it is not in conflict with retail entry and windows.

b. Parking garages may be above the ground floor, provided the parking garage is architecturally concealed and enclosed. Upper level parking garages shall apply decorative treatments to upper level facades, panels, and railings. The overall architectural design of parking facilities shall be the same as building with occupied floor space. The following considerations shall be included in the parking garage design:

(1) Provide adequate screening of vehicles from the street view. Open metal railings or panels which do not adequately screen the vehicles from view shall be avoided;

(2) Incorporate stepped-back design of upper floors if above the street wall level;

(3) Provide landscape planters to soften the visual impact.

c. The exterior facades of all parking garages fronting on public streets shall be designed as to achieve an architectural unity with adjacent buildings and other buildings in the vicinity of the garage.

(Ord. No. 1772, 7-23-93)

Section 5.620 SIGNS

See Section 7.100

Section 5.700 COMMERCIAL

5.701 NSC – Neighborhood Shopping Center

5.702 Purpose.

The Neighborhood Shopping Center district is a commercial district intended to meet the consumer demands of surrounding neighborhoods. Uses focus on satisfying daily commercial and service business needs, but are compatible with adjoining residential neighborhoods. Large, community-scale uses are not permitted. Neighborhood shopping centers are to be planned, developed and operated as single entities, with shared access and parking and common architecture, landscaping, and signage.

(Ord. No. 2177, § 3, 12-19-00)

5.703 Permitted Uses.

- A. General merchandising including food stores, apparel, and accessory stores.
- B. Home furnishings.
- C. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
- D. Child care centers.
- E. Restaurants without drive-thru's.
- F. Financial institutions.
- G. Professional, administrative, and business offices.
- H. Medical offices.
- I. Personal services such as barber and beauty shops, shoe repair, and tailor shops.
- J. Laundry, cleaning, and dry cleaning establishments, limited as follows:
 - 1. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 - 2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- K. Churches.
- L. Indoor recreational facilities of less than four thousand (4,000) square feet of floor area.

(Ord. No. 2177, § 3, 12-19-00)

5.704 Uses Subject to Conditions.

- A. Seasonal sales and special events, subject to standards in Sections 7.501 and 7.503.

- B. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas that utilize an existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of city engineer.

(Ord. No. 2177, § 3, 12-19-00)

5.705 Uses Subject to Conditional Use Permit.

- A. Convenience uses, limited as follows:
- B. No more than three (3) convenience uses shall be allowed in each center.
 - 1. All uses that include retail sales of gasoline shall be designed to orient the gasoline service pumps and canopies covering the pumps to the interior of the site; with the building(s) adjacent to the street.
 - 2. All drive thru service windows shall be located on the internal side of convenience uses and screened from view from public streets.
 - 3. Live entertainment facilities that include music performed by more than one (1) musician, or dancing. Does not include adult live entertainment.
- C. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
- D. Wireless communication facilities-alternative design tower.
- E. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.

(Ord. No. 2177, § 3, 12-19-00)

5.706 Accessory Uses.

Uses that are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.

(Ord. No. 2177, § 3, 12-19-00)

5.707 Development Standards.

See revised Table 3-Page 2301.

(Ord. No. 2177, § 3, 12-19-00)

5.708 Performance Standards.

- A. No single retail use shall be larger than seventy-five thousand (75,000) square feet of gross floor area.
- B. Design review for the entire site must be approved prior to issuance of building permits for any portion of the site.
- C. A project may be built in phases, but the first phase must include the major anchor for the center as determined by the Master Development Plan. Pad sites shall not be developed prior to the development of the major anchor.
- D. The shopping center must include a plaza or plazas containing at least one thousand (1,000) square feet per net acre of the site. The plaza shall include shade trees, seating

areas, tables, and trash receptacles. At least fifty percent (50%) of the area of plaza(s) required shall be constructed in the first phase of development.

E. Outdoor sales and displays are prohibited, except when the following conditions are present:

1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in the permanent building on the property.

2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape area, or traffic visibility at driveway entries and street intersections.

F. All retail and service activities shall be within an enclosed building. No outside storage of equipment or materials is permitted.

G. Loading areas, building service areas and drive-thru service windows must be oriented away from streets and screened from public view with a combination of landscaping and screen walls.

H. Prior to certificate of occupancy of any building on the site, the developer shall provide certification that the noise level from mechanical equipment does not exceed fifty-five (55) dBA (normal speaking voice) at the property line.
(Ord. No. 2177, § 3, 12-19-00)

5.709 Master Development Plan.

A. All applications for the Neighborhood Shopping Center district shall include a Master Development Plan for the area of the rezoning request. The plan, at a minimum, will address:

1. The location of all proposed buildings, plazas, and pedestrian walkways.
2. The locations of all drive aisles, parking, loading and service areas.
3. The location of all landscaping, retention areas, entry features and perimeter walls.
4. The location of all required public street improvements.
5. A design theme for the center showing the architecture, materials and colors that will be used.
6. The location of all proposed freestanding identification signs.
7. On-site lighting performance measures.
8. The location, type and size of individual uses planned for the center.

B. The Master Development Plan shall be reviewed in conjunction with the rezoning of the property as set forth in Section 3.800 and shall become part of the approval. The Planning Commission and the City Council shall consider conformance of the proposed plan with the General Plan, the commercial design expectations, and the stated purpose of the Neighborhood Shopping Center district.

C. The procedure for amending an approved Master Development Plan shall be the same as prescribed for the original approval. No amendment to an NSC district will be approved without concurrent revision of the Master Development Plan.
(Ord. No. 2177, § 3, 12-19-00)

5.7091 Design Review.

A. Design review is required as outlined in Section 3.600.

- B. Refer to commercial design expectations.
- C. All wireless communication facilities are subject to design review and must be consistent with wireless communication facilities design guidelines.
(Ord. No. 2177, § 3, 12-19-00)

5.7092 Landscaping and Screening.

- A. See Section 7.200.
- B. The frontages and corner setback area shall include a minimum of twenty-five (25) feet of landscaping, broken only by necessary driveways and screen walls. No parking shall be permitted within this area.
- C. All perimeter on-site improvements including landscape buffers, sidewalks, perimeter walls and parking lot screen walls must be constructed in the first phase of development.
(Ord. No. 2177, § 3, 12-19-00)

5.7093 Signs.

- See Section 7.100.
(Ord. No. 2177, § 3, 12-19-00)

5.7094 Parking.

- See Section 7.400.
(Ord. No. 2177, § 3, 12-19-00)

Section 5.710 SC – Shopping Center.

5.711 Purpose.

The Shopping Center district is intended to meet the consumer demands of the surrounding neighborhoods. The primary functional elements include commercial retail, specialty retail, and service oriented businesses including personal services, professional services, restaurants, and financial services. The district intent is to provide neighborhood destination shopping while incorporating a design which furthers the pedestrian orientation within the center. Each center shares a common architecture, access, parking, signage, and landscape design.
(Ord. No. 1772, 7-23-93)

5.712 Permitted Uses.

- A. General merchandise including food stores, apparel, and accessory stores.
- B. Home furnishings.
- C. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
- D. Child care center.
- E. Restaurants-full service.
- F. Cocktail lounges.
- G. Financial institutions.
- H. Professional, administrative, and business offices.
- I. Personal services, beauty, shoe repair, and tailor shop.
- J. Laundry, cleaning, and dry cleaning establishments, limited as follows:

1. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- K. Churches.
- L. Indoor motion picture theaters, less than four thousand (4,000) square feet, excluding adult theaters.
- M. Indoor recreational facilities less than four thousand (4,000) square feet of floor area.
- (Ord. No. 1772, 7-23-93)

5.713 Uses Subject to Conditions.

- A. Seasonal sales and special events, subject to standards in Sections 7.501 and 7.503.
- B. Wireless communication facilities, subject to Sections 7.506 and 7.600.
1. Building mounted antennas and rooftop mounted antennas.
 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.714 Uses Subject to Conditional Use Permit.

- A. Automotive service stations with minor auto repair, not to include body repair, motor repair, or painting. All service except the sale of gasoline shall be within an enclosed building. No service bays associated with automotive uses shall be visible from a public street.
- B. Indoor recreational facilities larger than four thousand (4,000) gross square feet of floor area.
- C. Thrift stores, subject to the following conditions:
1. The storage area must be provided for all discarded items. All storage areas for individual items, including collection receptacles, shall be entirely enclosed or screened and not visible from the public right-of-way or from adjacent residential areas.
 2. All collection receptacles shall be secure from public access during nonbusiness hours.
 3. No material, goods, or merchandise may be stored outside of an approved collection receptacle unless it is within an approved screened area.
- D. Convenience uses.
- E. Live entertainment facilities which include music performed by more than one (1) musician, or dancing. Area devoted to patron dancing shall not exceed seven and one-half (7-1/2) percent of the total gross floor area. Does not include adult live entertainment.
- F. Community scale retail uses. Any single retail use which is greater than eighty thousand (80,000) square feet of leasable gross floor area shall require a use permit. These types of uses are characteristic of those that provide goods and services which attract consumers from large segments of the community. These uses shall be evaluated by traffic impacts as well as the scale of the structure in relationship to the neighborhood center.

- G. Indoor motion picture theaters larger than four thousand (4,000) square feet, excluding adult theaters.
 - H. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
 - I. Wireless communication facilities-alternative design tower.
 - J. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.715 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.

(Ord. No. 1772, 7-23-93)

5.716 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.717 Design Guidelines.

- A. Design Review is required as outlined in Section 3.600.
- B. Refer to Commercial Design Expectations.
- C. Detailed Shopping Center Design Guidelines.
 - 1. Design review for the entire site must be approved prior to issuance of building permits for any portion of the site. A shopping center may be built in phases, but at least fifty percent (50%) of the gross floor area must be built in the first phase.
 - 2. The frontages and corner setback area shall include a minimum of twenty-five (25) feet of landscaping, broken only by necessary driveways and screen walls. No parking area shall be within this area.
 - 3. Only one (1) freestanding building less than ten thousand (10,000) square feet is allowed per arterial frontage.
 - 4. The shopping center must include a plaza or plazas containing at least one thousand (1,000) square feet per net acre of the site. The plaza shall include shade trees, seating areas, tables and trash receptacles.
 - 5. All accessory commercial sales or displays shall be conducted within an enclosed building unless otherwise permitted.
 - 6. Recycling containers are allowed subject to Design Review process.
 - 7. Any outside storage area may be completely enclosed.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2121, § 1, 2-22-2000)

5.718 Landscaping and Screening.

See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.719 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.720 Parking.

See Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.730 C-1 – Neighborhood Commercial.

5.731 Purpose.

The intent of the Neighborhood Commercial district is to address on a limited basis the needs of the surrounding residential development by providing goods and services generally described as convenience goods and services. The district is intended for smaller scale uses from retail commercial, personal services, business services, and professional and administrative offices. Businesses which might create a nuisance to the immediate residential area are excluded even though the goods and services they sell might be in the convenience classification.

(Ord. No. 1772, 7-23-93)

5.732 Permitted Uses.

- A. Retail stores. General merchandising including food stores, apparel, and accessory stores.
- B. Personal services.
 - 1. Barber shops and beauty salons.
 - 2. Laundry, cleaning, and dry cleaning establishments, limited as follows:
 - a. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 - b. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
 - 3. Medical and dental offices, excluding veterinarians.
 - 4. Child care center.
 - 5. Music or dance schools.
- C. Financial institutions, real estate and insurance offices.
- D. Restaurants-full service.
- E. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
- F. Churches.
- G. Professional and administrative offices.
- H. Business support services.

(Ord. No. 1772, 7-23-93; Ord. No. 2030, § 1, 10-13-98)

5.733 Uses Subject to Conditions.

- A. Seasonal sales and special events, subject to standards in Sections 7.501 and 7.503.
- B. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property

developed for non-residential use or in public right-of-way subject to approval of City Engineer.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.734 Uses Subject To Conditional Use Permit.

- A. Convenience uses.
 - B. Automotive service stations with minor auto repair, not to include body repair, motor repair, or painting. All service except the sale of gasoline shall be within an enclosed building. No service bays associated with automotive uses shall be visible from the public street.
 - C. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
 - D. Wireless communication facilities-alternative design tower.
 - E. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.
 - F. Any single retail use that is greater than seventy-five thousand (75,000) square feet of gross floor area developed after the effective date of this ordinance.
 - G. Any single retail use greater than seventy-five thousand (75,000) square feet of gross floor area existing prior to the effective date of this ordinance that increases its gross floor area five (5) percent or more.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2176, § 1, 12-19-00)

5.735 Accessory Uses.

- Uses which are customary and incidental to the principal use of the property.
- A. Satellite earth station.
 - B. Amateur radio tower.
- (Ord. No. 1772, 7-23-93)

5.736 Development Standards.

See Table 3.
(Ord. No. 1772, 7-23-93)

5.737 Performance Standards.

- The following restrictions shall apply to all properties within the district:
- A. Outdoor sales and displays are prohibited, except when one (1) or more of the following conditions are present:
 - 1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in the permanent building on the property.
 - 2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape area, or traffic visibility at driveway entries and street intersections.
 - B. All retail activities must be within an enclosed building. No outside storage of equipment or materials is permitted. No outside mechanical repair or service is permitted.
- (Ord. No. 1772, 7-23-93)

5.738 Design Review.

- A. Design Review is required as outlined in Section 3.600.
- B. Refer to Commercial Design Expectations.
- C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.739 Landscaping and Screening.

Screen wall and landscape buffer requirements adjacent to any residential district. See Section 7.200.
(Ord. No. 1772, 7-23-93)

5.740 Signs.

See Section 7.100.
(Ord. No. 1772, 7-23-93)

5.741 Parking.

See Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.750 C-2 – General Commercial.

5.751 Purpose.

The intent of this district is to accommodate either integrated or freestanding commercial uses and services. Uses serve both neighborhood scale as well as community level needs. The district is characterized by a wide range of retail uses operated within an enclosed building. Orientation is to major streets with individual access points, signage, and parking areas.
(Ord. No. 1772, 7-23-93)

5.752 Permitted Uses.

- A. Restaurants.
- B. Retail stores:
 - 1. General merchandising, including variety and specialty stores.
 - 2. Food.
 - 3. Apparel and accessories.
 - 4. Home and office furnishings.
 - 5. Hardware stores.
- C. Professional, administrative, and business offices.
- D. Services:
 - 1. Personal Services.
 - a. Barbershops and beauty salons.
 - b. Small appliance repair shops.
 - c. Laundry, cleaning, and dry-cleaning establishments, limited as follows:
 - 1) Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.

- 2) Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- d. Mortuaries.
- 2. Automotive Services.
 - a. Commercial parking lots. Overnight parking is not permitted, unless a use permit is secured and the lot is completely enclosed, locked, and limited to passenger vehicles only.
- E. Indoor recreational facilities.
- F. Veterinary clinics, all activities within an enclosed building.
- G. Appliance, furniture, and household equipment rentals.
- H. Child care center.
- I. Medical or dental clinics.
- J. Churches.
- K. Business Schools.
- L. Financial Institutions.
- M. Bar or cocktail lounge.

(Ord. No. 1772, 7-23-93; Ord. No. 2029, § 1, 10-13-98; Ord. No. 2030, § 1, 10-13-98)

5.753 Uses Subject to Conditions.

A. Live entertainment facilities which include music by more than one (1) musician, or dancing. Such facilities can be approved through administrative review, if the entrances and exits to the building are located more than three hundred (300) feet from any residential use. The dance floor may not exceed one-eighth (1/8) of the total floor area. No adult entertainment uses permitted. The closing time of the dance floor shall be simultaneous with the closing of the bar or cocktail lounge.

B. Seasonal sales and special events subject to standards in Sections 7.501 and 7.503.

- C. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.754 Uses Subject to Conditional Use Permit.

- A. Shelter-care facilities.
- B. New or used automobile, motorcycle, boat, truck, and recreational vehicle sales and repair services.
- C. Live entertainment facilities including nightclubs which include: music performed by more than one musician, or dancing. Exits and entrances to the structure are less than three hundred (300) feet from any existing or planned residential use. The closing time of the dance floor shall be simultaneous with the closing of the bar or cocktail lounge. No adult entertainment uses permitted.
- D. Outdoor recreation facilities not to exceed three (3) acres in size.

E. Automotive truck/trailer or RV leasing and rental facilities where vehicles are stored on-site.

F. Self-storage warehouses. All storage shall be within an enclosed building, except that boats, trailers and motor vehicles may be placed in outdoor storage areas which are separate from the buildings and screened from the view of adjacent streets by walls and landscaping. Outside storage shall not exceed ten (10) percent of the gross site area and shall not count towards meeting parking requirements. All service storage warehouse facilities are to be used for storage purposes only.

G. Thrift stores, subject to the following conditions:

1. A storage area must be provided for all discarded items. All storage areas for individual items, including collection receptacles, shall be entirely enclosed or screened and not visible from the public right-of-way or from adjacent residential areas.

2. All collection receptacles shall be secure from public access during nonbusiness hours.

3. No material, goods, or merchandise may be stored outside of an approved collection receptacle unless it is within an approved screened area.

H. Hotels and motels.

I. Pawn shops.

J. Convenience uses. See Section 2.300.

K. Lodges or fraternal associations.

L. Recreational vehicle storage facility.

M. Private recreational clubs, YMCA, YWCA.

N. Plant nurseries, limited to retail sales only.

O. Commercial parking lots which include overnight parking.

P. Emergency medical care facility twenty-four (24) hour operations.

Q. Auto body repair.

R. Nursing homes.

S. Wireless communication facilities--new monopole or changes to existing tower subject to development standards in Table 3-A.

T. Wireless communication facilities--alternative design tower.

U. Wireless communication facilities--alternative tower structure, otherwise not permitted under Section 7.506.

V. Minor auto repair including lubrication, tires, engine tune-up, washing and polishing, brakes, muffler and maintenance of other similar accessories. This use does not include major engine repair, radiator repair, automotive painting and body repair, or transmission repair. All repair areas must be within an enclosed building. Service bays shall not be visible from a public street.

W. Any single retail use that is greater than seventy-five thousand (75,000) square feet of gross floor area developed after the effective date of this ordinance.

X. Any single retail use greater than seventy-five thousand (75,000) square feet of gross floor area existing prior to the effective date of this ordinance that increases its gross floor area five (5) percent or more.

Y. Children's residential care facility.

(Ord. No. 1772, 7-23-93; Ord. No. 1902, 9-24-96; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2029, § 1, 10-13-98; Ord. No. 2089, § 2, 7-27-99; Ord. No. 2176, § 2, 12-19-00; Ord. No. 2206, § 2, 7-24-01)

5.755 Reserved.

5.756 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.

(Ord. No. 1772, 7-23-93)

5.757 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.758 Performance Standards.

The following restrictions shall apply to all properties within this district:

A. Outdoor sales and display are prohibited, except where one (1) or more of the following conditions are present:

1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in a permanent building on the property.

2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

B. All retail and service activities must be within an enclosed building except automotive service stations, parking lots, drive-ins or drive-thru facilities, amusement and recreational uses, and plant material nurseries.

C. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental to a retail store or business, and where all such completed products are sold at retail on the premises.

(Ord. No. 1772, 7-23-93)

5.759 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. Refer to Commercial Design Expectations.

C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.760 Landscaping and Screening.

Screen wall and landscape buffer requirements adjacent to any residential district. See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.761 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.762 Parking.

See Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.770 C-3 – Heavy Commercial.**5.771 Purpose.**

This district accommodates wholesale and service uses which serve more intensive, community scale needs. Uses include those with strong orientation to repair services and intensive retail or wholesale functions which may include outside storage of materials or finished products.

(Ord. No. 1772, 7-23-93)

5.772 Permitted Uses.

All uses listed as permitted in Section 5.752, C-2 district and in addition:

- A. Wholesale, trade and storage of durable and non-durable goods.
- B. Building supplies and hardware sales and service;
- C. Auto repair, services.
 - 1. Major engine and transmission repair.
 - 2. Automotive body and fender shops.
- D. Cocktail lounges with live entertainment or patron dancing. Does not include adult live entertainment.
- E. Religious missions and sheltered workshops.
- F. Small appliance service and repair.
- G. Equipment and machinery sales or rental other than industrial.
- H. Self storage warehouses.
- I. Automobile and recreational vehicle leasing and rentals.
- J. New and used car, truck, and recreational vehicle sales.
- K. Business and trade schools.
- L. Hotels and Motels.
- M. Mobile Home sales.
- N. Heavy Equipment sales and service.
- O. Nightclub/dance halls.
- P. Laundry, dry cleaning, and dyeing establishment, retail or wholesale, including bulk storage.
- Q. Towing Business.
- R. Recreational vehicle storage facility.

(Ord. No. 1772, 7-23-93)

5.773 Uses Subject to Conditions.

- A. Thrift stores, subject to the following conditions:
 - 1. A storage area must be provided for all discarded items. All storage areas for individual items, including collection receptacles, shall be entirely enclosed or screened and not visible from the public right-of-way or from adjacent residential areas.
 - 2. All collection receptacles shall be secure from public access during non-business hours.

3. No material, goods, or merchandise may be stored outside of an approved collection receptacle unless it is within an approved screened area.
 - B. Seasonal sales and special events, subject to standards in Sections 7.501 and 7.503.
 - C. Commercial kennels, subject to:
 1. All animals must be kept indoors, and no outside runs are permitted.
 2. The kennel structure must not be any closer than one hundred (100) feet to any residential or agricultural zone.
 3. The kennel structure shall be designed, constructed, and maintained so that sound emitted to exterior walls and roofs shall not exceed forty-five (45) decibels. Building plans submitted for a commercial kennel shall include a certified statement from a registered architect or engineer that the building will meet the forty-five (45) decibel requirement.
 - D. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 1. Building mounted antennas and rooftop mounted antennas.
 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
 - E. Adult business subject to Section 7.510.
 - F. Deferred presentment companies, subject to the following conditions:
 1. The use shall be a minimum of three hundred (300) feet from any agricultural or residentially- zoned property located in the City of Glendale or in an adjoining city or county, measured from property lines.
 2. The use shall be a minimum of one thousand three hundred twenty (1,320) feet from any other deferred presentment company located in the City of Glendale or in an adjoining city or county, measured from the property lines.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99; Ord. No. 2532, § 2, 10-24-06)

5.774 Uses Subject to Conditional Use Permit.

- A. Convenience uses.
 - B. Community Corrections Facilities.
 - C. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
 - D. Wireless communication facilities-alternative design tower.
 - E. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.
 - F. Any single retail use that is greater than seventy-five thousand (75,000) square feet of gross floor area developed after the effective date of this ordinance.
 - G. Any single retail use greater than seventy-five thousand (75,000) square feet of gross floor area existing prior to the effective date of this ordinance that increases its gross floor area five (5) percent or more.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99; Ord. No. 2176, § 3, 12-19-00)

5.775 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.

(Ord. No. 1772, 7-23-93)

5.776 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.777 Performance Standards.

A. There shall be no manufacturing, compounding, processing, or treatment of products other than that which is clearly incidental to wholesale store, repair, or service businesses and where all such completed products are sold on the premises.

B. No use is permitted which will emit any offensive odor, dust, noxious gas, noise, vibration, smoke, heat, or glare beyond the boundaries of the lot of which such use is conducted.

(Ord. No. 1772, 7-23-93)

5.778 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. Refer to Commercial Design Expectations.

C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.779 Landscaping and Screening.

See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.780 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

5.781 Parking.

See Section 7.400.

(Ord. No. 1772, 7-23-93)

Section 5.782 CSC –Community Shopping Center.

5.783 Purpose.

The Community Shopping Center district is a commercial district intended to meet the consumer demands of large segments of the community by accommodating large-scale shopping centers. These centers are designed to serve residents of an entire community and attract regional shoppers as well. Uses include everything from small shops to the biggest of the big box retailers, as well as entertainment and restaurants. Community shopping centers are to be planned, developed and operated as single entities, with shared access and parking and common architecture, landscaping, and signage.

(Ord. No. 2177, § 4, 12-19-00)

5.784 Permitted Uses.

- A. General merchandising including food stores, apparel, and accessory stores.
- B. Home furnishings.
- C. Home improvement stores.
- D. Warehouse stores.
- E. Repair services for small appliances, bicycles, watches, musical instruments, and similar items.
- F. Child care centers.
- G. Restaurants without drive-thru's.
- H. Cocktail lounges.
- I. Financial institutions.
- J. Professional, administrative, and business offices.
- K. Medical offices.
- L. Personal services such as barber and beauty shops, shoe repair, and tailor shops.
- M. Laundry, cleaning, and dry cleaning establishments, limited as follows:
 - 1. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 - 2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- N. Indoor motion picture theaters, excluding adult theaters.
- O. Indoor recreational facilities.
- P. Churches.

(Ord. No. 2177, § 4, 12-19-00)

5.785 Uses Subject to Conditions.

- A. Seasonal sales and special events, subject to standards in Sections 7.501 And 7.503.
- B. Wireless communication facilities, subject to Sections 7.506 And 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas that utilize an existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 2177, § 4, 12-19-00)

5.786 Uses subject to conditional use permit.

- A. Any single retail use that is greater than seventy-five thousand (75,000) square feet of gross floor area.
- B. Convenience uses, limited as follows:
 - 1. No more than five (5) convenience uses shall be allowed in each center.
 - 2. All uses that include retail sales of gasoline shall be designed to orient the gasoline service pumps and canopies covering the pumps to the interior of the site; with the building(s) adjacent to the street.

3. All drive thru service windows shall be located on the internal side of convenience uses and screened from view from public streets.

C. Minor auto repair including lubrication, tires, engine tune-up, washing and polishing, brakes, muffler and maintenance of other similar accessories. This use does not include major engine repair, radiator repair, automotive painting and body repair, or transmission repair. All repair areas must be within an enclosed building. Service bays shall be screened from view from public streets.

D. Hotels and motels.

E. Live entertainment facilities that include music performed by more than one (1) musician, or dancing. Does not include adult live entertainment.

F. Night clubs.

G. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.

H. Wireless communication facilities-alternative design tower.

I. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.

(Ord. No. 2177, § 4, 12-19-00)

5.787 Accessory Uses.

Uses that are customary and incidental to the principal use of the property.

A. Amateur radio tower.

B. Satellite earth station.

(Ord. No. 2177, § 4, 12-19-00)

5.788 Development Standards.

See revised Table 3-Page 2301.

(Ord. No. 2177, § 4, 12-19-00)

5.789 Performance Standards.

A. Design review for the entire site must be approved prior to issuance of building permits for any portion of the site.

B. A project may be built in phases, but the first phase must include at least one of the major anchors for the center and a percentage of the total gross floor area for the center as determined at the time of Master Development Plan approval. Pad sites shall not be developed prior to development of the first major anchor.

C. The shopping center must include plazas containing a total of at least one thousand (1,000) square feet per net acre of the site. The plazas shall include shade trees, seating areas, tables, and trash receptacles. At least fifty percent (50%) of the area of plazas required shall be constructed in the first phase of development.

D. Outdoor sales and displays are prohibited, except when the following conditions are present:

1. Products and services displayed outdoors are customary, accessory, and incidental to those sold and displayed in a primary business being conducted in the permanent building on the property.

2. Outdoor sales and displays do not interfere with pedestrian access ways, fire lanes, required parking spaces, driveways, landscape area, or traffic visibility at driveway entries and street intersections.

E. All retail and service activities shall be within an enclosed building. No outside storage of equipment or materials is permitted.

F. Loading areas, building service areas and drive-thru service windows must be oriented away from streets and screened from public view with a combination of landscaping and screen walls.

G. Prior to certificate of occupancy of any building on the site, the developer shall provide certification that the noise level from mechanical equipment does not exceed 55 dBA (normal speaking voice) at the property line.

(Ord. No. 2177, § 4, 12-19-00)

5.790 Master Development Plan.

A. All applications for the Community Shopping Center district shall include a Master Development Plan for the area of the rezoning request. The plan, at a minimum, will address:

1. The location of all proposed buildings, plazas, and pedestrian walkways.
2. The location of all drive aisles, parking, loading and service areas.
3. The location of all landscaping, retention areas, entry features and perimeter walls.
4. The location of all required public street improvements.
5. A design theme for the center showing the architecture, materials and colors that will be used.
6. The location of all proposed free-standing identification signs.
7. On-site lighting performance measures.
8. The location, type and size of individual uses planned for the center.

B. The Master Development Plan shall be reviewed in conjunction with the rezoning of the property as set forth in Section 3.800 and shall become part of the approval. The Planning Commission and the City Council shall consider conformance of the proposed plan with the General Plan, the commercial design expectations, and the stated purpose of the Community Shopping Center district.

C. The procedure for amending an approved Master Development Plan shall be the same as prescribed for the original approval. No amendment to a CSC district will be approved without concurrent revision of the Master Development Plan.

(Ord. No. 2177, § 4, 12-19-00)

5.791 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. Refer to commercial design expectations.

C. All wireless communication facilities are subject to design review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 2177, § 4, 12-19-00)

5.792 Landscaping and Screening.

A. See Section 7.200.

B. The frontages and corner setback area shall include a minimum of twenty-five (25) feet of landscaping, broken only by necessary driveways and screen walls. No parking shall be permitted within this area.

C. Where a CSC district abuts a residential street (that is, where there are residences across a street from the center), a fifty (50) foot landscape buffer is required.

D. Where a CSC district is immediately adjacent to a residential district with no intervening street, a twenty (20) foot landscape buffer is required.

E. All perimeter on-site improvements including landscape buffers, sidewalks, perimeter walls and parking lot screen walls must be constructed in the first phase of development.

(Ord. No. 2177, § 4, 12-19-00)

5.793 Signs.

See Section 7.100.

(Ord. No. 2177, § 4, 12-19-00)

5.794 Parking.

See Section 7.400.

(Ord. No. 2177, § 4, 12-19-00)

Section 5.800 INDUSTRIAL.

Section 5.810 B-P – Business Park.

5.811 Purpose.

The purpose of the Business Park district is to accommodate employment uses including administrative and research industries, offices, and limited manufacturing and support services. Business Park is intended to meet the following objectives:

A. Encourage large scale campus style development which includes attractive streetscape and functional pedestrian spaces.

B. Provide for employment areas which are compatible with adjacent or surrounding residential land uses.

C. Promote an efficient circulation system including the separation of pedestrian from vehicular traffic. Encourage reduced trip generation off-site by the development of mixed uses within the project.

(Ord. No. 1772, 7-23-93)

5.812 Permitted Uses.

A. Offices for professional, administrative, clerical, financial, medical, or other business or professional services.

B. Laboratories for research and product development.

C. Manufacturing or assembly of finished products, so long as the primary use of the property is not the basic processing and compounding of raw materials.

D. Medical and dental laboratories.

E. Motion picture production, radio and television broadcast studios, but not including transmitter towers.

F. Health clubs.

G. Commercial, trade, or business schools.

- H. Full service restaurants.
- I. Financial institutions.
- J. Barber and beauty shops.
- K. Business support services.
- L. Laundry, cleaning, and dyeing establishments, limited to:
 - 1. Maximum of one thousand (1,000) square feet of floor area to be occupied by or devoted to machinery to be used for laundry, cleaning, dyeing, and finishing work.
 - 2. Retail service to individual customers only and no wholesaling of any commodity or service shall be permitted.
- M. Child care center.
- N. Fast food restaurants without drive-in or drive-thru facilities.

(Ord. No. 1772, 7-23-93)

5.813 Uses Subject to Conditions.

Wireless communication facilities, subject to Sections 7.506 and 7.600.

- 1. Building mounted antennas and rooftop mounted antennas.
- 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.814 Uses Subject to Conditional Use Permit.

- A. Public and semi-public utility buildings and facilities.
- B. Motels or hotels including conference or convention facilities.
- C. Self-storage facilities, for storage purposes only.
- D. Wholesale sales and distribution of finished goods.
- E. Incidental commercial retail sales other than those otherwise permitted.
- F. Automobile, boat, motorcycle, and recreational vehicle dealerships.
- G. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
- H. Wireless communication facilities-alternative design tower.
- I. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.815 Accessory Uses.

Use which are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.
- C. Fences and walls. See Section 7.201.
- D. Microwave antennas.

(Ord. No. 1772, 7-23-93)

5.816 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.817 Performance Standards.

A. No use shall be established, maintained, or conducted within the Business Park district which may cause the dissemination of smoke, gas, dust, odor, or any other atmospheric pollutant outside the building in which the use is conducted.

B. No use shall result in noise perceptible beyond the boundaries of the immediate site of the use.

C. No use shall result in the discharge of any waste materials to any water course, dry wells, storm sewers, or ditch.

D. No use shall result in the dissemination of glare or vibration beyond immediate site of the use.

E. No use shall result in the creation of traffic hazards for undue congestion of any public street.

F. No use shall create a physical hazard by reason of fire, explosions, or use of radioactive materials or any similar cause of property in the same or adjacent districts.

(Ord. No. 1772, 7-23-93)

5.818 Master Development Plan.

A supplement to all applications for Business Park district shall include a conceptual Master Development Plan for the area of the rezoning request. The Master Development Plan shall include the following elements:

A. General Land Use.

B. Circulation, including Transportation Demand Management.

C. Open Space, Landscaping.

D. Development Phases.

E. Drainage.

F. Water.

G. Sewer.

H. Design Standards.

(Ord. No. 1772, 7-23-93)

5.819 Design Review.

A. See Section 3.600.

B. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.820 Landscaping and Screening.

A. There shall be a decorative solid masonry wall not less than six (6) feet in height on rear and side property lines that are adjacent to residential districts.

B. All parking areas shall be screened from view from all public streets by structures, landscaping, decorative walls, berms, or by depressing the parking area.

C. All mechanical structures and appurtenances shall be screened from view.

D. Any outside storage must be fully screened from view of public streets and residential districts.

E. Any loading spaces or dock areas shall be screened by a minimum eight (8) foot high masonry wall or berm and landscaping which screens said areas. See Section 7.201.

F. Every use, or any part thereof, that is not conducted within a building completely enclosed on all sides shall be enclosed with a wall of a height as to completely screen all operations conducted within such wall from observation outside the site, except where approved as part of a conditional use permit. Such use shall not be permitted in any required yard area. (Ord. No. 1772, 7-23-93)

5.821 Signs.

See Section 7.100.
(Ord. No. 1772, 7-23-93)

5.822 Parking.

See Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.840 M-1 – Light Industrial.

5.841 Purpose.

This district is intended to accommodate industries involving light manufacturing, assembling, warehousing, and wholesale activities of medium intensity compatible with adjacent properties. Associated office and support commercial uses are also included within this district. The manufacturing or assembly of finished products so long as the primary use of the property is not the basic processing and compounding of raw materials.
(Ord. No. 1772, 7-23-93)

5.842 Permitted Uses.

A. Manufacturing and Assembly.

1. Food processing and kindred products, except:
 - a. Fish canning and curing.
 - b. Meat products.
 - c. Rendering or refining of fats and oils.
2. Textile mill products not including dyeing or finishing.
3. Leather and leather products.
4. Stone, clay and glass products.
5. Fabricated metal products.
6. Machinery.
7. Electrical machinery, equipment, and supplies.
8. Transportation equipment.
9. Wood products, finished.

B. Non-Manufacturing.

1. Wholesalers, except those involving explosives, fowl, fish, or seafood.
2. Lumber and building material yards.
3. Contract construction.
4. Trucking and warehousing.
5. Recycling centers or automated collection center.
6. Recreational vehicle storage facilities.

7. Laundry, dry cleaning, and dyeing establishments, retail or wholesale, including bulk storage.

8. Vehicle repair, minor and major.

C. Support Office.

1. Administrative offices directly related to a permitted use.

2. Restaurants.

3. Business Support Services-office supply, photocopy, and delivery services.

4. Trade or business schools.

(Ord. No. 1772, 7-23-93; Ord. No. 1840, § 1, 5-23-95)

5.843 Uses Subject to Conditions.

A. Seasonal sales and special events, subject to administrative review standards. See Sections 7.501 and 7.503.

B. Wireless communication facilities, subject to Sections 7.506 and 7.600.

1. Building mounted antennas and rooftop mounted antennas.

2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.

C. Adult business subject to Section 7.510.

D. Lodges and fraternal associations if the entrances and exits to the building are located more than three hundred (300) feet from any residential use.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99; Ord. No. 2114, § 1, 12-14-99)

5.844 Uses Subject to Conditional Use Permits.

A. Commercial aviation businesses such as aircraft repair, aircraft sales and service, and air charter services.

B. Drive-in theaters.

C. Commercial retail sales and services, other than those otherwise permitted.

D. Commercial kennels, animal shelters, and veterinary hospitals with outdoor boarding or exercise facilities.

E. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.

F. Wireless communication facilities-alternative design tower.

G. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.

H. Lodges and fraternal associations with entrances and exits to the building located less than three hundred (300) feet from any residential use.

(Ord. No. 1772, 7-23-93; Ord. No. 1840, § 2, 5-23-95; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99; Ord. No. 2114, § 1, 12-14-99)

5.845 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

A. Amateur radio tower.

B. Satellite earth station.
(Ord. No. 1772, 7-23-93)

5.846 Development Standards.

See Table 3.
(Ord. No. 1772, 7-23-93)

5.847 Performance Standards.

A. Uses or operations of products within this district shall be permitted unless such uses are or may become obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, glare, refuse, or air or water pollution.

B. All uses permitted in this district shall be primarily conducted within a fully enclosed building unless otherwise permitted. Outside storage of materials and equipment related to the primary activity is permitted provided that the outside storage area is screened by a wall with the design and height to be approved by the Community Development Group.

C. Explosive or hazardous processes require approval by Glendale Fire Department that all manufacturing, storage, and waste processes meet all safety and environmental standards as administered by the department.
(Ord. No. 1772, 7-23-93)

5.848 Design Guidelines.

A. Design Review is required as outlined in Section 3.600.

B. Refer to Industrial Design Expectations.

C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.
(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.849 Landscaping and Screening.

Landscape buffer and screen wall requirements adjacent to any residential district. See Section 7.200.
(Ord. No. 1772, 7-23-93)

5.850 Signs.

See Section 7.100.
(Ord. No. 1772, 7-23-93)

5.851 Parking.

See Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.860 M-2 – Heavy Industrial.

5.861 Purpose.

This district is intended to accommodate intense industries involving manufacturing, warehousing, assembly, and storage. The uses include the production, assembly, and processing of large products as well as those which may generate special impacts on surrounding properties. The district is characterized by open uses and/or storage, industrial processes which involve

significant amounts of heat, mechanical and chemical processing, large amounts of materials transfer, and large scale machinery and structures.
(Ord. No. 1772, 7-23-93)

5.862 Permitted Uses.

All permitted uses within the M-1 (Light Industrial) district, Section 5.842, and additionally the following manufacturing and non-manufacturing uses:

- A. Manufacturing and Assembly.
 - 1. Food and kindred products, except those requiring specific use permit approval.
 - 2. Textile mill products not including dyeing and finishing.
 - 3. Lumber and wood products.
 - 4. Leather and leather products.
 - 5. Stone, clay and glass products.
 - 6. Primary metal industries.
 - 7. Fabricated metal products.
 - 8. Machinery and electrical machinery.
 - 9. Transportation equipment.
 - 10. Plastic and plastic products.
- B. Non-Manufacturing.
 - 1. Transportation, communication and other public utility storage and equipment yards.
 - 2. Wholesalers.
 - 3. Trucking and warehousing.
 - 4. Lumber and building material yards.

(Ord. No. 1772, 7-23-93)

5.863 Uses Subject to Conditions.

- A. Seasonal sales and special events. See Sections 7.501 and 7.503.
- B. Wireless communication facilities, subject to Sections 7.506 and 7.600.
 - 1. Building mounted antennas and rooftop mounted antennas.
 - 2. Alternative tower structure mounted antennas which utilize existing light pole or electric utility pole. The related equipment shelter must be located on property developed for non-residential use or in public right-of-way subject to approval of City Engineer.
- C. Adult business subject to Section 7.510.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99)

5.864 Uses Subject to Conditional Use Permit.

- A. Manufacturing or processing of chemicals and allied products.
- B. Dyeing and finishing of textile products.
- C. Manufacturer of rubber products.
- D. Automobile wrecking and salvage yards.
- E. Manufacturer of fireworks, matches, or pyrotechnics or other potentially explosive processes.
- F. Central mixing plants for cement or concrete.

- G. Processing of fish, poultry, or meat products.
 - H. Rendering or refining of fats and oils.
 - I. Storage and processing of scrap metals.
 - J. Incidental commercial retail sales other than those otherwise permitted.
 - K. Asphalt and asphalt products processing.
 - L. Fiberglass products manufacturing.
 - M. Wireless communication facilities-new monopole or changes to existing tower subject to development standards in Table 3-A.
 - N. Wireless communication facilities-alternative design tower.
 - O. Wireless communication facilities-alternative tower structure, otherwise not permitted under Section 7.506.
- (Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98; Ord. No. 2089, § 2, 7-27-99)

5.865 Accessory Uses.

Uses which are customary and incidental to the principal use of the property.

- A. Amateur radio tower.
- B. Satellite earth station.
- C. Microwave antennas.

(Ord. No. 1772, 7-23-93)

5.866 Development Standards.

See Table 3.

(Ord. No. 1772, 7-23-93)

5.867 Performance Standards.

A. Uses or operations of products within this district shall be permitted unless such uses are or may become obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, glare, refuse, or air or water pollution.

B. Explosive or hazardous processes require approval by the Glendale Fire Department that all manufacturing, storage, and waste processes meet all safety and environmental standards as administered by the department.

(Ord. No. 1772, 7-23-93)

5.868 Design Review.

A. Design Review is required as outlined in Section 3.600.

B. Refer to Industrial Design Expectations.

C. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.869 Landscaping and Screening.

Landscape buffers and screen wall requirements adjacent to any residential district. See Section 7.200.

(Ord. No. 1772, 7-23-93)

5.870 Signs.

See Section 7.100.
(Ord. No. 1772, 7-23-93)

5.871 Parking.

See Section 7.400.
(Ord. No. 1772, 7-23-93)

Section 5.900 PAD – Planned Area Development.

5.901 Purpose.

This district accommodates mixed use development which combines residential and nonresidential land uses through common design elements. The district promotes flexibility and encourages variations in building design, lot arrangement, circulation patterns, and land uses. Further, it is the intent of the PAD district to:

- A. Encourage creative and effective use of land and circulation systems to accommodate changes in land development technologies.
- B. Encourage residential development to provide a mixture of housing types and designs.
- C. Encourage innovative development or redevelopment concepts for all land use types to provide a greater variety and intensity of uses.
- D. Provide a process which relates the urban design and scale of project to the unique characteristics of the site.
- E. Require the nature and intensity of development to be supported by adequate utilities, transportation, drainage, and common open spaces to serve the development and to minimize impact on existing or future adjacent development.
- F. Encourage development that is consistent with the policies and the guidelines established in any specific plan and the General Plan.

(Ord. No. 1772, 7-23-93)

5.902 Permitted Uses.

Any permitted land use within the ordinance is allowed as defined by the General Plan, Specific Area Plan, and Specific Land Use Designations within the approved Development Plan. Unless a combination of other zoning districts are referenced for the definition of permitted uses, all permitted uses must be specifically defined in the approval of the PAD.

(Ord. No. 1772, 7-23-93)

5.903 Uses Subject to Conditions.

Specific conditions or requirements for administrative review may be required in conjunction with PAD approval.

(Ord. No. 1772, 7-23-93)

5.904 Uses Subject to Conditional Use Permit.

Specific uses subject to a conditional use permit may be deferred in conjunction with the PAD approval.

(Ord. No. 1772, 7-23-93)

5.905 Accessory Uses.

Accessory uses are defined by the standard of the zoning district reference within the development plan. Any accessory use not included within the referenced zoning district must be detailed specifically within the development plan.

(Ord. No. 1772, 7-23-93)

5.906 Density, Area, Building and Setback Requirements.

All standards are established within the approval process including residential density, lot sizes, building setbacks, required yards, and building heights.

(Ord. No. 1772, 7-23-93)

5.907 Performance Standards.

Established by development plan either by referral to zoning districts or specific standards.

(Ord. No. 1772, 7-23-93)

5.908 Design Guidelines.

A. Design Review is required as outlined in Section 3.600.

B. The design of the project shall be consistent with any existing guidelines applicable to the land use proposed. This shall include, but not be limited to the following:

1. Subdivision Design Expectations.
2. Commercial Design Expectations.
3. Multi-Family Design Expectations.
4. Industrial Design Expectations.

5. All wireless communication facilities are subject to Design Review and must be consistent with wireless communication facilities design guidelines.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 3, 4-28-98)

5.909 Landscaping and Screening.

These requirements are defined by Section 7.200 or may be defined in the PAD approval.

(Ord. No. 1772, 7-23-93)

5.910 Signs.

See Section 7.100. Special signage standards may be established in the approval of the PAD.

(Ord. No. 1772, 7-23-93)

5.911 Parking.

Required parking shall be defined by the planned land use categories. See Section 7.400.

(Ord. No. 1772, 7-23-93)

5.912 Procedures.

A. Application. All requests for PAD zoning shall be submitted and processed pursuant to the procedures established in Section 3.800.

B. Development Plan. An applicant shall submit a detailed development plan for the area of the PAD request which shall include the following:

1. Proposed name of the development.

2. Name, address, and telephone number of the property owner and applicant.
3. Legal description.
4. Description of the proposed land use areas and the specifications including use standards of each area including:
 - a. Proposed dwelling unit type, total land area, and maximum density of residential use areas.
 - b. Proposed uses other than residential, total land area, and maximum floor area ratios associated with commercial or industrial uses.
 - c. Proposed public streetscape and private open space improvements and their relationship to the overall development.
 - d. Building heights, minimum lot areas, and setbacks.
 - e. A general description of architectural theme colors and type of exterior building materials for each structure or group of structures in the PAD.
 - f. A description of the landscaping treatment, plant materials, fences, walls, and other open space improvements.
 - g. Proposed location of any arterial, collector, or local streets.
 - h. Proposed location and use of all lands proposed to be dedicated for public purpose including parks, storm water retention areas, and school sites.
 - i. Master water, sewer, and drainage plans.

C. Project Narrative.

1. The applicant shall submit a statement describing the terms and conditions under which the property will be developed and maintained subsequent to development. Such statements shall include any conditions, performance standards, and other reasonable restrictions as may be necessary to ensure the development and maintenance of the property in accordance with the approved development plan.

2. The applicant shall submit a description of the objectives to be achieved by the development concept. The statement shall include, but is not limited to:

a. The manner in which the proposed development meets or exceeds the intent of the PAD district.

b. The proposed architectural and site design concepts including style, colors, and type of materials, placement of structures to maximize views and take advantage of the site's natural characteristics.

c. Specific concepts by which the proposed development will make an orderly transition from existing or planned adjacent development including varied setbacks and facade treatment, open space elements, screening of parking areas, and landscaping of public or private open spaces and recreational facilities.

3. The purpose of this narrative is to provide a clear and concise statement for the review process to ensure a better understanding of the proposed development concept.

D. Time Schedule for Development. The applicant shall include a tentative schedule for the phasing of the development. The statement shall include the type of development, density, floor area ratios for each phase of the development, and shall be accompanied by a map designating the phases and sequence of development.

E. Approval of the Development Plan. The review of a development plan shall be in conjunction with the rezoning of the property as set forth in Section 3.800. The Planning

Commission shall base its recommendation and the City Council shall base its decision on the conformance of the proposed plan with the stated purpose of the PAD district. No amendment to a Planned Area Development district will be approved without concurrent revision of the development plan.

F. Amendments. The procedure for amending an approved Development Plan shall be the same as prescribed for the original approval.
(Ord. No. 1772, 7-23-93)

5.913 Findings.

The Planning Commission shall find that the PAD application is consistent with the purpose of the district. The Commission evaluation shall include land use mixture, land use categories, land use intensities, and the proposed development standards.
(Ord. No. 1772, 7-23-93)

Table 3 Commercial/Employment Districts Development Standards								
District	Min Net Lot Area	Max. Lot Area	Min. Setback ⁵				Max. Structure Height ⁶	Max. F.A.R. ⁶
			Front	Rear	Side	Street Side		
R-O ³	6,000	N/A	20	25	10	25	30	.3
C-O	10,000	N/A	25	1 foot per 1 foot height of building		20	30	.3
G-O	43,560	N/A	Varies with building height 1 foot per 1 foot height of building				30	.3
PR	N/A	N/A	0-10	0	0	0	48	2.0
SC	5 acres	15 acres	25	60 ¹	60 ¹	25	30	.3
NSC	N/A	20	25 ⁵	60 ¹	60 ¹	25 ⁵	30	.3
C-1	N/A	N/A	25	60 ¹	60 ¹	25	30	.3
CSC	>20 acres	N/A	25 ⁷	80 ⁸	80 ⁸	25 ⁵	40	.3
C-2	N/A	N/A	25	60 ¹	60 ¹	25	30	.3
C-3	N/A	N/A	25	60 ¹	60 ¹	25	30	.3
B-P	N/A ⁴	N/A	25-50 ²	60 ¹	60 ¹	25-50 ²	30	.3
M-1	6,000	N/A	25	60 ¹	60 ¹	25	30	.3
M-2	6,000	N/A	25	60 ¹	60 ¹	25	30	.3

¹ – 60 feet to residential uses; 15 feet to nonresidential uses.

² – 50 feet for major street, 40 feet collector street, 25 feet local street.

³ – Maximum building size 3,000 square feet of gross floor area.

⁴ – Minimum district size is 20 acres.

⁵ – Building setback for arterial streets shall be a minimum of 1 foot for each foot of building height.

⁶ – Maximum height of accessory structures is 15 feet. Refer to Special Building Heights and Floor Area Ratio Maps, found at the end of this ordinance.

⁷ – One foot for each foot of building height, not less than 25 feet.

⁸ – 80 feet to residential, 25 feet to non-residential.

(Ord. No. 1772, 7-23-93; Ord. No. 2177 § 4, 12-19-00)

Table 3-A					
Commercial/Employment Districts Wireless Communications Standards					
District	Subject to Conditional Use Permit	Maximum Height		Major Street Setback	Residential Setback
	Monopoles	Single user	Co-location		
R-O	NP				
C-O	X	50 feet	65 feet	Minimum 150 feet	2 × tower height
G-O	X	65 feet	80 feet	Minimum 150 feet	2 × tower height
P-R	NP				
SC	X	50 feet	65 feet	Minimum 150 feet	2 × tower height
C-1	X	50 feet	65 feet	Minimum 150 feet	2 × tower height
C-2	X	50 feet	65 feet	Minimum 150 feet	2 × tower height
C-3	X	65 feet	80 feet	Minimum 150 feet	2 × tower height
B-P	X	65 feet	80 feet	Minimum 150 feet	2 × tower height
M-1	X	65 feet	80 feet	Minimum 150 feet	2 × tower height
M-2	X	65 feet	80 feet	Minimum 150 feet	2 × tower height

NP = Not permitted

(Ord. No. 2002, § 3, 4-28-98)

Section 6.100 A.I.O.—Airport Impact Overlay.

6.101 Purpose.

The Airport Impact Overlay district seeks to protect the public health, safety, and general welfare of the area surrounding the Glendale Municipal Airport by minimizing exposure to high

noise levels and the hazards generated by airport operations. Also, it is to further the development of property surrounding the airport in a manner compatible with the continued operation of the airport. The district shall overlay other zoning districts where it is applied so that any parcel of land lying in the Airport Impact Overlay District shall also lie in one (1) or more of the other zoning districts. Should any conflict arise, the more strict regulation shall apply. (Ord. No. 1772, 7-23-93)

6.102 Overlay Districts and Boundaries.

A. Airport Noise Overlay Districts and Clear Zones. For purpose of administering these regulations, there shall be three (3) airport noise overlay areas and one (1) clear zone overlay area, identified below, within the Airport Impact Overlay District for the Glendale Municipal Airport. The boundaries for these noise overlays and clear zones shall be defined in the Official Zoning Maps.

1. Airport Noise Overlay-1 (ANO-1). The area between the post 2010 65 (ldn) and 70 (ldn) noise contour lines developed by the application of day/night average sound level of methodology of sound measurement (ldn).
2. Airport Noise Overlay-2 (ANO-2). The area between the post 2010 70 (ldn) and 75 (ldn) noise contour lines developed by the application of day/night average sound level of methodology of sound measurement (ldn).
3. Airport Noise Overlay-3 (ANO-3). The area within the post 2010 greater than 75 (ldn) noise contour line as developed by the application of day/night average sound level of methodology of sound measurement (ldn).
4. Clear Zone Overlay (CZO). The area at the end of Runway 19-1 and the future parallel runway which must be maintained clear of any structures or obstructions according to Federal Aviation Administration structures.

B. Lots Divided by Airport District Boundaries. Whenever a lot of record is divided by an airport district boundary, the development shall conform to land use and design criteria of the more restrictive district in accordance with all City codes and regulations. (Ord. No. 1772, 7-23-93)

6.103 Taxiway Access and Operations.

Any development proposing taxiway access shall be approved by the Planning Director and Airport Manager. (Ord. No. 1772, 7-23-93)

6.104 Certification of Noise Attenuation.

A. Certification. Prior to issuance of a building permit in any airport noise overlay area, a certification by an acoustical engineer or registered architect shall be required specifying that construction practices and the materials of the structure will achieve the interior noise level required by the noise attenuation standards indicated in Section 6.104-B. The engineer or architect shall submit relevant information to permit the City building officials to verify that the proposed measures will achieve interior noise level standards.

B. Noise Attenuation Standards. The noise level reduction measures must be incorporated into the design and construction of the principal buildings where people work or are otherwise received, in order to achieve a maximum interior noise level of forty-five (45) decibels. This requirement includes all offices and areas which serve the public. Any land use

within a building with a self-generated noise level in excess of forty-five (45) decibels is not subject to this standard.

1. Airport Noise Overlay-1-Noise Level Reduction of twenty (20) decibels.
 2. Airport Noise Overlay-2-Noise Level Reduction of twenty-five (25) decibels.
 3. Airport Noise Overlay-3-Noise Level Reduction of thirty (30) decibels.
- C. Inaccurate Data. False or inaccurate data shall be cause for rendering null and void any building permits and may result in non-issuance of an occupancy permit.
- D. City Liability. The City of Glendale, its employees and officers shall not be held liable for any permit issued on the basis of false information.
(Ord. No. 1772, 7-23-93)

6.105 Avigational Easements and Release.

Prior to issuance of any building or development permit for property within the Airport Impact District, the owner of said property shall provide the City of Glendale with an avigational easement over the subject property and release the City of Glendale from all liability for any and all claims for damages originated from dust, noise, vibration, fumes, fuel and lubricant particles, etc. The avigational easement and release forms shall be available from the City of Glendale.
(Ord. No. 1772, 7-23-93)

6.106 Additional Height and Safety Regulations.

A. Height. Any development or construction of buildings or structures shall submit a Federal Aviation Administration Form 7460-1 to the local Federal Aviation Administration office for review. A positive recommendation from the Federal Aviation Administration stating the development has no negative effect on the airport or navigational airspace must be reviewed prior to commencing construction.

B. Construction or establishment of any building, structure, or use shall comply with the height limits as determined by the zoning district identified by the Official Zoning Map of the City of Glendale, or with the height limits specified by the Airport Runway Approach Clearance Map as defined, whichever places the greater restriction.

C. Hazard Marking and Lighting. The Federal Aviation Administration shall determine whether the construction in, or existence of any building, structure, or plant material constitutes a hazard to an aircraft operation in the vicinity of the airport. When such determination is made, the owner of the structure, pole, tower, tank, or plant material shall at his own expense, reduce in height or install, operate, and maintain such markers and lights that may be necessary to indicate to aircraft operators the presence of an airport hazard.

D. Communication Facilities. Any activity within this district which may create an electrical interference with communications between the airport facility and the aircraft is prohibited unless approved by the Federal Aviation Administration.
(Ord. No. 1772, 7-23-93)

6.107 Administration.

A. The Planning Director shall review all requests for building and development within the Airport Impact Overlay Zone for compliance with this ordinance prior to issuance of any permit.

B. The Airport Manager shall be informed of all requests for development within the Airport Impact Overlay District. The Planning Director shall forward a copy of all applications with attended information to the Airport Manager prior to the issuance of any permits. The Airport Manager shall verify receipt of such information and, within ten (10) working days, forward any comments concerning the requests to the Planning Director.
(Ord. No. 1772, 7-23-93)

Section 6.200 PRD – Planned Residential Development.

6.201 Purpose.

This overlay district is intended to promote the development of Single Residence subdivisions according to an overall development plan. The purpose of this district is to:

- A. Encourage imaginative and innovative planning of residential neighborhoods by providing greater flexibility in design.
- B. Encourage the provision of useable open space and recreation facilities within subdivisions.
- C. Encourage variation in lot size, lot width, building setback, building orientation, and house product design within neighborhoods.
- D. Establish residential neighborhoods which have a distinct character and convey a sense of place.
- E. Promote the efficient use of land by enabling the development of parcels which would otherwise be difficult to develop.

(Ord. No. 1772, 7-23-93)

6.202 Application Procedures and Requirements.

A. A PRD may be established as an overlay zoning district in any of the Suburban Residence (SR) or Urban Residence (R-1) zoning districts. All applications for PRD shall be submitted and processed pursuant to the requirements and procedures in Section 3.300 and Section 3.800. The procedures for amending an approved PRD shall be the same as for the original approval.

B. The PRD application shall be accompanied by a scaled development plan which shows at a minimum the following information:

- 1. Name of the development.
- 2. Existing and proposed zoning.
- 3. Proposed boundary of the PRD district.
- 4. General topography and areas where major grading is proposed.
- 5. Preliminary drainage concept.
- 6. Accommodations for utilities.
- 7. Location of all interior and perimeter streets.
- 8. Size, location, and use of public or commonly owned open space and facilities.
- 9. Conceptual lot layout.
- 10. The area of any sub-units and the number of dwelling units proposed within each unit.
- 11. A data table which includes the total gross area, total number of units, gross density, area devoted to street rights-of-way, and area proposed for open space use.

12. All adjacent lots or parcels and improvements within one hundred fifty (150) feet of the site perimeter.

C. The PRD application shall also be accompanied by a clear and concise project narrative which provides specific details about the proposed development concept. The project narrative shall include at a minimum the following information:

1. Legal description of the property.
 2. Complete description of the intended nature and character of the development.
 3. Details concerning the purpose, ownership, improvement, and maintenance of all public or commonly owned open space and facilities.
 4. Proposed phasing.
 5. General landscape concept.
 6. Outline of proposed conditions, covenants, and restrictions.
 7. Proposed amended development standards.
 8. Typical lot layouts showing the proposed setbacks for interior, corner, and cul-de-sac lots.
 9. Relationship to surrounding property and proposed screening, buffers, and transitions.
 10. Design concept for perimeter walls, entry features, and common areas;
 11. Proposed cross sections for all interior and perimeter streets.
 12. House product design criteria including type, architectural style, color palette, and exterior materials.
 13. Provisions for on-site and off-site drainage.
- (Ord. No. 1772, 7-23-93; Ord. No. 1952, § 7, 7-22-97)

6.203 Permitted Uses.

Land use shall conform to the uses permitted in the underlying zoning district.
(Ord. No. 1772, 7-23-93)

6.204 Development Standards.

A. The development standards of the underlying zoning district may be amended as part of the PRD approval. All other provisions of the Zoning Ordinance shall apply.

B. The density for the PRD shall be stipulated as part of the PRD approval and shall not exceed the density allowed by the underlying zoning district. For the purpose of this ordinance, the maximum gross density for each underlying zoning district shall be as follows:

District	Units Per Gross Acre
R1-4	8.0
R1-6	5.0
R1-7	4.0
R1-8	3.5
R1-10	3.0
SR-12	2.5

SR-17	2.0
SR-30	1.0

C. The amount and location of public and commonly owned open space and facilities shall be determined at the time of PRD approval.
(Ord. No. 1772, 7-23-93)

6.205 Required Findings.

All PRD applications shall be reviewed for conformance with the stated purpose of this overlay district. Prior to approval, the Planning Commission and City Council shall make the following findings:

A. The proposal is consistent in substance and location with the development objectives of the General Plan and any adopted specific area plans.

B. The proposal will be compatible with other existing and planned development in the area.

C. The proposal meets or exceeds the City's Subdivision Design Expectations regarding site planning, architecture, landscaping, building materials and colors, and screening of mechanical equipment.

D. The proposal will result in a quality living environment and accommodate desired lifestyles.

E. The proposed project amenities including equestrian and pedestrian trails, bike paths, landscaped areas, entry features, decorative theme walls, parks, playgrounds, and other public or commonly owned open space and recreation facilities are adequate and appropriate for this development.

F. The type and quality of house products will be consistent with the intended character of the development.

(Ord. No. 1772, 7-23-93)

6.206 Conformance.

All development within the PRD shall conform to the Development Plan, project narrative, and any stipulations as approved by the City Council. Any substantive modification shall require an amendment to the PRD.

(Ord. No. 1772, 7-23-93)

Section 6.300 MH – Mobile Home.

6.301 Purpose.

This district is intended to provide for and preserve mobile home subdivisions and mobile home park developments which are compatible with the surrounding neighborhood. These developments shall provide adequate recreational, storage, and service facilities within the development. The district shall be in addition to and overlay any residential zoning districts.

(Ord. No. 1772, 7-23-93)

6.302 Required Approvals.

All uses are subject to either an approved subdivision plat in accordance with the Subdivision Ordinance or Site Development Plan, and Design Review in accordance with Section 3.600 shall be required prior to development.

(Ord. No. 1772, 7-23-93)

6.303 Occupancy of Mobile Homes and Vehicles Prohibited Except in Authorized Areas.

No person shall occupy any mobile home or recreational vehicle in the city except in a mobile home park or a mobile home subdivision, except as authorized otherwise.

(Ord. No. 1772, 7-23-93)

6.304 Limitation on Parking or Storage of Mobile Homes or Recreational Vehicles.

A. No person shall park or store any mobile home on any lot or parcel of land which is situated outside of an improved mobile home park or mobile home subdivision.

B. Any recreational vehicle which is parked or stored shall not be used as permanent living quarters or for the operation of any business.

(Ord. No. 1772, 7-23-93)

6.305 Development Standards.

A. Mobile Home Parks.

1. Minimum size of such mobile home park shall be ten (10) net acres.

2. The current setback requirements and spacing standards of this district shall be met prior to replacing mobile homes or travel trailers in an existing nonconforming park. No permits shall be issued without a scaled development plan on file showing existing improvements and locations of all units.

3. The minimum space size for a mobile home shall be three thousand (3,000) square feet; for a travel trailer or motor home, one thousand (1,000) square feet.

4. There shall be a distance of not less than twenty (20) feet between the front or rear of a mobile home or travel trailer and not less than five (5) feet between fixed canopies.

5. Travel trailers and motor homes shall constitute no more than fifteen (15) percent of total spaces. These spaces must be delineated on the approved development plan for each mobile home park. These spaces should be located together and not spread throughout the park. These spaces shall not be continuously occupied for more than six (6) months.

6. No mobile home, travel trailer, or accessory building shall be placed or built within fourteen (14) feet of the side of another mobile home, travel trailer, or accessory building.

7. There shall be a seven (7) foot setback from all interior drives, roadways, and exterior perimeters to the nearest edge of any mobile home or travel trailer.

8. No more than one (1) mobile home, travel trailer, or motor home shall be placed on each space.

9. Off-street parking for at least two (2) automobiles shall be provided in each space or on each lot or on a separate designated parking area within the mobile home park.

10. Interior private streets shall not be less than thirty (30) feet in width.

11. Screening shall be provided around the exterior of the mobile home park by a minimum six (6) foot masonry wall.
 12. All mobile homes shall be skirted in a uniform manner.
 13. No mobile home space shall be located within twenty (20) feet of a property line. Such area shall be maintained as a landscape buffer area which can be used for recreation or as part of a retention area.
 14. A common area of five hundred (500) square feet for each rental space shall be provided and approved for recreation, laundry, and service purposes.
 15. No boat, motor home, or travel trailer shall be permitted to be stored on any rental space. Such storage area shall be provided by the park at a ratio of fifty (50) square feet for each rental space.
 16. Mobile home parks may include accessory storage buildings, office buildings, recreational facilities, laundry facilities, and other common facilities use provided for park residents.
- B. Mobile Home Subdivision Development Standards.
1. Minimum size for mobile home subdivisions shall be ten (10) net acres.
 2. Mobile home subdivision density, yard, area, and sign requirements shall be determined by the underlying residential district.
 3. No more than one (1) mobile home shall be placed on any lot and no mobile home shall be used for anything other than a single residence dwelling.
 4. All mobile homes shall be mounted and anchored to a continuous masonry foundation in accordance with approved standards.
 5. No mobile home containing less than six hundred (600) square feet shall be used as a dwelling.
 6. Approval of all mobile home subdivisions shall be subject to the provisions of the subdivision ordinance.

(Ord. No. 1772, 7-23-93)

6.309 Landscaping and Screening.

See Section 7.200.

(Ord. No. 1772, 7-23-93)

6.310 Signs.

See Section 7.100.

(Ord. No. 1772, 7-23-93)

Section 6.400 HP – Historic Preservation.

6.401 Purpose.

The purpose of this ordinance is to support the identification, preservation, and enhancement of the city's significant historical, architectural, cultural, and archaeological resources in the interest of the welfare of the citizens of Glendale by:

- A. Protecting, preserving, and enhancing the significant elements of the city's historical, architectural, cultural, and archaeological heritage;
- B. Encouraging the identification and recognition of significant historic resources;
- C. Encouraging the sensitive adaptation of historic properties to modern uses;

D. Assuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within Historic Preservation Districts are carried out in a manner which is not detrimental to the historic integrity of these districts;

E. Encouraging the identification and protection of prehistoric and historic archaeological resources;

F. Protecting and preserving those properties within the city which may not have popular appeal, but are valuable to the community in terms of tourism, education, neighborhood character and identity, and economic development;

G. Preserving and enhancing the city's attractiveness to potential home buyers, tourists, businesses wanting to relocate, and other visitors, thereby supporting and promoting commercial development and economic benefit to the city's economy; and

H. Encouraging the stabilization, rehabilitation, and conservation of the existing housing stock, including the prevention of needless demolition of structurally sound buildings in order to strengthen the city's neighborhoods.

(Ord. No. 1772, 7-23-93)

6.402 Effect of Historic Preservation (HP) Zoning Designation.

A. The Historic Preservation District is an overlay zone. Permitted uses and development standards shall be regulated by the underlying zoning district.

B. The development standards for the underlying zoning district may be superseded by the design guidelines adopted at the time of the district designation. This includes, but is not limited to, the size, height, locations and number of signs, the location of off-street parking, required screening and landscaping, the height of fences and walls, and the number of required off-street parking and loading spaces.

C. When a building permit is sought from the City to demolish, alter, remodel, move, build, or otherwise develop or landscape property in a Historic Preservation District, issuance of the permit shall be deferred until after a Certificate of No Effect is issued by the Historic Preservation Officer or a Certificate of Appropriateness is obtained from the Historic Preservation Commission.

D. Plans showing the scope of the proposed work shall be submitted at the time of application for a Certificate of No Effect or a Certificate of Appropriateness. An approved plan shall be binding upon the applicant and their successors and assignees. No building permit shall be issued for any building or structure not in accordance with the plan, except that temporary facilities shall be permitted in conjunction with construction. No structure or other element specified on the plan shall be eliminated, altered, or provided in another manner, unless an amendment is approved in conjunction with the procedures for original approval.

E. Nothing in this ordinance shall be construed to prevent ordinary maintenance or repair, including painting, of any structure in the Historic Preservation District, which does not alter or modify the historic character of the structure.

(Ord. No. 1772, 7-23-93)

6.403 Certificate of No Effect.

A. All requests for building permits located within a Historic Preservation District shall be referred to the Historic Preservation Officer.

B. The Historic Preservation Officer shall issue a Certificate of No Effect if it is determined that:

1. The proposed work is minor and clearly within design guidelines adopted at the time of Historic Preservation District designation; and
 2. The proposed work will not diminish, eliminate, or adversely impact the historic character of the subject property or its affect on the district.
- C. Approval of a Certificate of No Effect authorizes the issuance of permits required by the City Building Codes.
- D. If a Certificate of No Effect is not issued, a Certificate of Appropriateness shall be required.
- (Ord. No. 1772, 7-23-93)

6.404 Certificate of Appropriateness.

A. The Historic Preservation Commission shall review the application and shall conduct a public hearing within sixty (60) days of the filing of an application for a building permit. Notice of the application shall be posted on the property at least fifteen (15) days before the date set for the public hearing. The HP Commission shall either grant or deny the application, or grant it with stipulations. This application shall be deemed approved if the initial hearing is not held within sixty (60) days of the date of application.

B. The Historic Preservation Commission shall evaluate all proposals in accordance with the Secretary of the Interior's Standards for Rehabilitation and the adopted design guidelines for the district. A Certificate of Appropriateness shall be granted if the HP Commission determines that the proposed work:

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities characteristic of the property; and
2. Does not diminish or adversely impact the integrity of the district; or
3. Qualifies for a Certificate of Economic Hardship.

C. Any person aggrieved by the Historic Preservation Commission's decision may, within seven (7) working days of this action appeal to the City Council. If appealed, the matter shall be set for a public hearing before the City Council. Notice of the hearing shall be sent to the applicant at least fifteen (15) days prior to the hearing and shall be posted on the property fifteen (15) days prior to the hearing.

D. The City Council shall limit its review of the case to the record of the Historic Preservation Commission, as established by the staff report, any exhibits, minutes and/or transcripts, and any audio/visual tape of the proceedings. New testimony will not be accepted for consideration, however, each side may make a limited presentation on the evidence in the record of the HP Commission. Such presentation shall be limited to a maximum of five (5) minutes per side unless greater time is granted by the Mayor. The City Council will conduct its review in accordance with the evaluation criteria established by Subsection B of this section. Except as otherwise provided herein, City Council members who review written communications or engage in verbal communications which are not part of the HP Commission's record shall disclose any such communications during the appeal public hearing. City Council must make its decision within sixty (60) days of the filing of an appeal or the application is deemed approved. At this public hearing, the City Council may do one (1) of the following:

1. Affirm the decision of the Historic Preservation Commission.
2. Reverse the decision of the Historic Preservation Commission; or
3. Remand the application to the Historic Preservation Commission for reconsideration.

E. Approval of a Certificate of Appropriateness authorizes the issuance of permits required by the City's Building Code. A Certificate of Appropriateness expires one (1) year from the date of issuance.

(Ord. No. 1772, 7-23-93)

6.405 Certificate of Economic Hardship.

A. A Certificate of Economic Hardship may be granted by the Historic Preservation Commission or by the City Council on appeal. Separate standards for obtaining a Certificate of Economic Hardship are established for investment or income producing and non-income producing properties. Non-income producing properties shall consist of owner occupied single-family dwellings and non-income producing institutional properties.

B. The basis to establish economic hardship for an income producing property shall be the inability of a property taken as a whole to obtain a reasonable rate of return in its present condition or if rehabilitated.

C. Economic hardship in regard to a non-income producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

D. Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

1. Willful or negligent acts by the owner;
2. Purchase of the property for substantially more than market value;
3. Failure to perform normal maintenance and repairs;
4. Failure to diligently solicit and retain tenants;
5. Failure to provide normal tenant improvements.

E. Demonstration of an economic hardship may be viewed in light of or include the ability and diligence of the property owner at the time of acquisition, to determine the potential historic significance or existing Historic Preservation District designation of the subject property.

F. In order to properly assess a request for Certificate of Economic Hardship, the Commission shall request and receive from the applicant all information it deems necessary. This may include, but is not limited to, the following:

1. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the building(s) on the property, their suitability for rehabilitation, and possible new uses for the property;
2. The assessed value of the land and improvements according to the two (2) most recent assessments;
3. The real estate taxes paid during the previous two (2) years;
4. All appraisals obtained by the owner or applicant in connection with his purchase, financing, or ownership of the property;
5. Any listing of the property for sale or rent, price asked and offers received, if any;
6. All building and fire code violations which have been listed on the property for the last two (2) years.
7. Any federal, state, or local citation(s) which have determined the building to be a nuisance under applicable law; and
8. If the property is income-producing:

- a. Annual gross income from the property for the previous two (2) years;
- b. Itemized operating and maintenance expenses for the previous two (2) years; and
- c. Annual cash flow, if any, for the previous two (2) years.

G. The procedures for obtaining a Certificate of Economic Hardship shall be the same for obtaining a Certificate of Appropriateness.

H. If a Certificate of Economic Hardship is issued, a Certificate of Appropriateness shall be granted.

(Ord. No. 1772, 7-23-93)

6.406 Demolition and Moving of Buildings and Structures.

It is the intent of this ordinance to preserve the historic and architectural resources within Historic Preservation Districts. However, it is recognized that there can be circumstances beyond the control of a property owner which may result in the necessary demolition of a structure within an Historic Preservation District. These circumstances include a building which constitutes an imminent safety hazard, which involves a resource whose loss does not diminish or adversely effect the integrity of the district, or which imposes an economic hardship on its owners.

A. No permit shall be issued to move or demolish all or any part of a house, building, or other structure in a Historic Preservation District without approval of a Certificate of Appropriateness as established in Section 6.404 of this ordinance.

B. A request for a demolition permit shall be exempt from these requirements if the Building Safety Director determines, according to the criteria set forth in the Uniform Code for the Abatement of Dangerous Buildings, that the building is an imminent safety hazard to the public and that necessary repairs would be impractical. The Building Safety Director shall first notify the Historic Preservation Officer in writing before issuing the demolition permit.

C. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year, unless a subsequent demolition approval has been requested and granted. A subsequent demolition application may be made and granted for a property which has previously been the subject of a one (1) year demolition permit denial if new facts or circumstances can be presented in support of the application.

D. Upon denial of a demolition approval, the Historic Preservation Officer shall contact the property owner to determine what assistance might be available to place the property into productive use. If a feasible rehabilitation or use is not found for the property, the Historic Preservation Officer shall investigate methods of private or public acquisition of the property.

E. If demolition approval is granted on any basis other than that of an imminent hazard, economic hardship, or upon expiration of a restraint of demolition, a demolition permit shall not be issued until a redevelopment or reuse plan for the property has received a Certificate of Appropriateness. Vacant land or non-use shall not be considered responsive to this requirement. A redevelopment or reuse plan shall consist of a site plan illustrating building locations, parking, walls, and landscaping, as well as elevations showing roof lines, doors, windows, and other architectural details. A

redevelopment or reuse plan shall also meet the requirements of Design Plan Review as required by the underlying zoning district.

F. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

(Ord. No. 1772, 7-23-93)

Section 6.500 Special Use District.

6.501 Purpose.

This overlay district is intended to accommodate certain land uses which are necessary in urban development, but do not conform to traditional zoning district permitted use classifications. The district allows for the location of these special uses through a district which imposes regulations and specific uses over a defined geographic area. The special use district allows permitted uses to be evaluated and properly located or prohibited to provide appropriate locations for such uses so that surrounding properties will not be adversely impacted by such uses. Specific performance requirements will be considered in the evaluation and establishment of any special use.

(Ord. No. 1772, 7-23-93)

6.502 Permitted Uses.

All uses permitted within the special use district are subject to the approval of a development plan for the area of the special use. All requirements and standards must be specifically defined and included in the approval of the special use. Any uses or requirements of the previous zoning district are superseded in the approval of the special use. The following uses are permitted in the special use district:

- A. Cemeteries which may include related uses, such as mausoleums, columbariums, crematoriums, mortuaries, and customary accessory uses.
- B. Public utility treatment and generating plants, including nuclear, electrical, wastewater, major electrical substations, and related ancillary offices.
- C. Helistops or heliports.
- D. Golf courses, including customary accessory uses.
- E. Outdoor commercial recreational facilities, including, but not limited to, baseball and batting cages, softball complexes, outdoor arenas, sports stadiums, and amphitheaters.
- F. Sand and gravel extraction, crushing, and/or processing.
- G. Resort hotels.
- H. Radio and television broadcasting towers.
- I. Recreational vehicle storage facilities and related uses including on-site manager living quarters.

(Ord. No. 1772, 7-23-93; Ord. No. 2002, § 4, 4-28-98; Ord. No. 2545, § 1, 2-13-07)

6.503 Minimum Area Requirements.

Minimum requirements for special uses included in this district are:

- A. Cemeteries, ten (10) acres.
- B. Outdoor recreational facilities, three (3) acres or more.

(Ord. No. 1772, 7-23-93)

6.504 Application Procedures.

A. Applications for establishing a special use shall be processed in the same manner as that for other zoning amendments and shall be subject to the same notice and public hearing procedures, application and fee requirements, conditions of approval, and other provisions applicable to zoning amendments. An application for a special use shall be accompanied by a development plan including the following information:

1. Legal description of the parcel.
2. Legal description of the limits of the proposed special use.
3. An area map showing adjacent property owners and location of all buildings and existing uses within six hundred sixty (660) feet of the parcel.
4. The proposed circulation system for the site and its relationship to existing or planned streets in the adjacent area.
5. Description of any environmental impacts of the proposed use, including air pollution, noise, or impacts on the public infrastructure system of the surrounding area.
6. Hours of operation.
7. The preliminary development plan shall include, at a minimum, the following site characteristics:
 - a. Heights of all structures.
 - b. Building setbacks to any street and to other buildings on the site.
 - c. Proposed parking areas, location and number of spaces.
 - d. Storm water retention, location, size, and depth.
 - e. Preliminary landscape concepts.
 - f. Lot coverage.
 - g. Pedestrian circulation system.
 - h. Location, type, and height of all lighting.
 - i. Location, height, and materials for all screen walls.
 - j. Location, height, and size of any proposed signage.
 - k. Phases of development.
 - l. Elevations of all proposed structures.
8. Narrative report which describes the nature and operation of the proposed use.

B. The special use development plan shall be reviewed by the Community Development Group for consistency with the intent of this district. The Planning Commission and City Council shall review the preliminary development plan and the City Council may approve it if they find the proposed use is not detrimental to the surrounding neighborhood nor has negative impacts on the public health, safety and general welfare of the neighborhood. The approval will include all necessary safeguards for provision and protection of adjacent property in relationship to the permitted uses.

C. Amendments to the special use shall be processed in the same manner as the initial application.

D. Design Review is required as outlined in Section 3.600 and shall be completed concurrent with the application process.

(Ord. No. 1772, 7-23-93)

6.505 Required Findings.

No special use shall be granted unless the following conditions exist:

A. The use shall be compatible with existing and planned land uses and shall not be detrimental due to:

1. Increased automobile traffic or impact on the circulation system of the adjacent neighborhood;
2. Excessive noise or light generated from within the site;
3. Excessive scale or height in relationship to surrounding properties;
4. Hours of operation;
5. Inadequate parcel size to provide appropriate buffers or mitigation measures to surrounding properties;
6. Disruption of the development character of the adjacent properties.

B. The use is consistent with the General Plan.

(Ord. No. 1772, 7-23-93)

6.506 Violation of Conditions.

Violation of the conditions of approval shall serve as basis for revocation of the special use district. In such event, the special use zoning approval shall be revocable by the City Council on recommendation by the Planning Commission.

(Ord. No. 1772, 7-23-93)

Section 6.600 SCO – Senior Citizen Overlay

6.601 Purpose.

The purpose of the Senior Citizen Overlay District (“SCO”) is to provide for a residential community conducive to the lifestyle and sensitive to the particular needs of senior citizens, retirees and persons of advanced age. This District is intended to be utilized for existing and proposed planned residential developments that were/will be developed, advertised and sold and rented under age specific restrictions for persons fifty-five (55) years of age or older in compliance with the provisions of the Arizona Fair Housing Act, the Federal Fair Housing Act, and the Housing for Older Persons Act of 1995 as they may hereafter be amended (“Fair Housing Acts”).

(Ord. No. 1896, § 2)

6.602 Application Procedures and Requirements.

(a) SCO may be established as an overlay zoning district in any of the Rural Residential (RR), Suburban Residential (SR), Urban Residential (R-I), Multiple Residence (R-2, R-3, R-4, R-5) or Planned Area Development (PAD) zoning districts.

(b) All applications to establish SCO shall be submitted and processed pursuant to the requirements and procedures in Section 3.800; except that applicants are limited to the property owner(s) or Homeowners’ Association. The procedures for amending an approved SCO shall be the same as for the original approval. Applications to remove the SCO for any particular development may be initiated by the City Council or Planning Commission or any other applicant as authorized by Section 3.800.

(c) An application for SCO will be considered only after the submission of the following materials:

- (1) Submission of either of the following:

(A) A petition signed by one hundred percent (100%) of the owners of property within the proposed district agreeing to the SCO District; or

(B) Documentation for existing developments that all of the property within the proposed district has been, since the beginning of the project, and will continue to be developed, advertised and sold or rented under age specific restrictions as required by the Fair Housing Acts. Documentation for new developments that all of the property within the proposed District is and will continue to be developed, advertised and sold or rented under age specific restrictions as required by the Fair Housing Acts and the SCO District requirements. This documentation may include items such as advertisements, sales agreements, lease agreements and a subdivision's deed restrictions (CC&R's - Conditions, Covenants and Restrictions).

(2) Submission of all of the following:

(A) Documentation that at the time of application, at least eighty (80) percent of the dwelling units are occupied by at least one (1) person fifty-five (55) years of age or older per unit, regardless of any legal, nonconforming rights that may exist, as required by the Fair Housing Acts. Newly constructed housing developments or facilities need not comply with this requirement until twenty-five (25) percent of the units in the development or facility are occupied. This documentation of occupancy shall be by reliable surveys and affidavits which shall be admissible in administrative and judicial proceedings for the purposes of such verification; and

(B) Documentation for existing developments that a Homeowners' Association or management agency or association publishes and adheres to policies that demonstrate the intent of the Fair Housing Acts. Documentation for new developments that a Homeowners' Association or management agency or association has prepared published documents which will be adhered to that demonstrate the intent of the Fair Housing Acts; and

(C) Documentation for existing developments that a Homeowners' Association or management agency or association is actively enforcing age restrictive deed restrictions or lease agreements on other types of residential developments within the proposed district that are in conformance with the Fair Housing Acts and SCO District requirements. Documentation for new developments that a Homeowners' Association or management agency or association will be actively enforcing age restrictive deed restrictions or lease agreements on other types of residential developments within the proposed district that are in conformance with the Fair Housing Acts and SCO District requirements; and

(D) A certification by the applicant(s) or authorized representative of the applicant(s) that SCO is not being applied for an underlying reason that would violate or circumvent the Fair Housing Acts or the Federal Rehabilitation Act of 1973 and that, to the best of the signer's information and belief, the development meets or at completion will meet the requirements for exemption for housing for older persons under the Fair Housing Acts.

(d) On residential communities which meet the intent of the SCO as outlined in 6.601, the SCO may be established as follows:

(1) For existing developments the SCO may be applied only to entire subdivisions, mobile home parks, or multiple residence communities with defined boundaries. No minimum acreage is required. The SCO District precludes exception parcels.

(2) For new developments SCO may be established only on parcels of twenty (20) or more contiguous acres in the Rural Residential (RR), Suburban Residential (SR), Urban Residential (R-1) and Planned Area Development (PAD) Zoning Districts. New SCO developments in the Multiple Residence (R-5, R-4, R-3, R-2) Zoning Districts may only be established on parcels of ten (10) or more contiguous acres. SCO Zoning may only be applied to entire subdivisions, mobile home parks, or multiple residence communities with defined boundaries. The SCO District precludes exception parcels.

(Ord. No. 1896, § 2; Ord. No. 2115, § 1, 1-11-2000)

6.603 Permitted Uses.

(a) Land use shall conform to the uses permitted in the underlying zoning district.

(b) Any persons residing in any dwelling unit for a period of time exceeding one hundred twenty (120) days in any twelve (12) month period shall be considered a resident of the SCO District.

(c)

(1) Each dwelling unit, if occupied, shall be occupied by at least one (1) person fifty-five (55) years of age or older.

(2) No person under eighteen (18) years of age shall reside in any dwelling unit for a period of time exceeding one hundred twenty (120) days in aggregate in a twelve (12) month period which starts the first day of the documented occupancy by such person.

(Ord. No. 1896, § 2)

6.604 Supplementary Provisions.

(a) Except as to the matters specifically identified in this Section, the development standards and all other provisions and regulations of the underlying zoning district shall apply to property within the SCO District.

(b) Developments within the SCO District must comply with the mandates of the Fair Housing Acts as they pertain to housing for persons fifty-five (55) years of age or older and other applicable provisions.

(c) A General Plan Amendment or Specific Plan is required prior to approval of SCO on developments of more than 160 contiguous acres to address issues of provision of adequate and appropriate City services, any special or different infrastructure and public facility needs, and impacts of the development.

(Ord. No. 1896, § 2)

6.605 Required Findings.

All SCO applications shall be reviewed for conformance with the stated purpose of this overlay district. Prior to approval, the Planning Commission and City Council shall make the following findings:

(a) The proposal is in compliance with the intent of SCO District to create a community for persons fifty-five (55) years of age or older.

(b) The proposal will not adversely impact other existing and/or planned land uses, infrastructure or public facilities, or the planning or development of school sites in the vicinity.

(c) The proposal will provide the same infrastructure standards (such as street widths, sidewalks, and utilities) and land use amenities (such as parks, employment and retailing) as normally planned for in non-SCO developments.
(Ord. No. 1896, § 2)

6.606 Administration.

(a) Enforcement.

Enforcement of the SCO District shall occur only when reasonable efforts have been undertaken by a Homeowners' Association or management agency or association to enforce a subdivision's deed restrictions (CC&R's - Conditions, Covenants, and Restrictions) or lease agreements on other types of residential developments and certification has been submitted to the City by a Homeowners' Association or management agency or association that the development still complies with the Fair Housing Acts. Reasonable efforts by a Homeowners' Association or management agency or association to enforce a subdivision's deed restrictions or lease agreements shall be documented as follows:

(1) Registered letter of written notification to the resident(s) and owner(s), if different, of the unit(s) not in compliance stating the reasons for non-compliance with the subdivision's deed restrictions or lease agreements on other types of residential developments and a copy of the deed restrictions or lease agreements.

(2) Records showing repeated efforts to enforce a subdivision's deed restrictions or lease agreement on other types of residential developments against a non-complying resident or owner.

(b) The burden of proof and the provision of evidence supporting claims of exemption from familial status requirements of the Fair Housing Acts shall be the responsibility of the qualifying residential development. The City of Glendale, in granting SCO, does not assume responsibility for gathering initial qualifying data, nor for maintaining data that may be required to prove that the qualifying residential development meets requirements of the Fair Housing Acts on any date that an allegation of discrimination in housing is brought forth. It shall be the responsibility of the qualifying residential development to prove that the requirements of the Fair Housing Acts were met on any given date. Information provided to the City by the Homeowners' Association or management agency or associations shall include:

(1) Verification of occupancy by reliable surveys and affidavits which shall be admissible in administrative and judicial proceedings for the purposes of such verification including the name and birth date of each occupant and the corresponding address of each unit within the SCO development.

(2) From the list of occupants required in 6.606 b.1., provide a list of non-conforming uses in the SCO development from the effective date of SCO approval including the date the nonconforming use was established.

(3) Information necessary to prove that the development is in compliance with the requirements of the Fair Housing Acts including documentation that policies are published and adhered to that demonstrate the intent of the Fair Housing Acts.

(c) At all times, at least eighty (80) percent of the dwelling units shall be occupied by at least one (1) person fifty-five (55) years of age or older per unit, regardless of any legal, nonconforming rights that may exist, as required by the Fair Housing Acts.

(d) Revocation.

Failure to comply with the conditions, stipulations or terms of the approval of an existing SCOT District, is a violation of this Ordinance and will be enforced in accordance with Section 3.800.

(Ord. No. 1896, § 2)

Section 6.700 CSO – Comprehensive Sign Overlay

6.701 Purpose.

This overlay district is intended to provide flexibility for signage in existing centers by allowing alternative sign standards through innovative design. The alternative sign program should improve identification of both the shopping center and its tenants, while encouraging superior design. The district provisions apply to all types of permanent signs.

(Ord. No. 1935, § 2, 4-22-97)

6.702 Application Procedures And Requirements.

A. This overlay district may be applied to multi-tenant buildings and shopping centers in the SC, C-1, C-2, and C-3 zoning districts.

B. All applications shall be submitted and processed pursuant to the requirements and procedures in section 3.800. The procedures for amending an approved CSO shall be the same as the original approval.

C. An application shall be accompanied by a scaled site plan which includes the following information:

1. Legal description of the parcel.
2. Legal description of the boundaries of the proposed comprehensive sign overlay.
3. Circulation system for the site including driveways.
4. Height of all structures.
5. Building setbacks to any street and to other buildings on the site.
6. Existing and proposed landscape concepts that would impact sign location and visibility.
7. Location, height, area, materials, and colors for existing and proposed signage.
8. Elevations of all proposed signs.
9. Elevations of all buildings on the site.

D. An application shall also include a narrative report which addresses the design approach, site factors, proposed signage enhancements, list of how nonconforming existing signs would be reduced, and how the application meets the required findings.

(Ord. No. 1935, § 2, 4-22-97)

6.703 Required Findings.

The planning commission and city council shall make the following findings before approving a CSO district:

A. The proposal will enhance the shopping center's signage and result in improved identification of tenants within the center.

B. The proposal reduces the non-conformity of existing signs while improving the design quality of the signage for the project.

C. The proposal is consistent with the applicable sections of the city's multi-tenant freestanding identification sign design guidelines.

D. The height, location, materials, color, texture, area, setbacks, and mass of the signs will enhance the character of the development.

E. The design and scale of the comprehensive sign package will not have any adverse effect on adjacent properties or the surrounding neighborhood.

(Ord. No. 1935, § 2, 4-22-97)

Section 7.100 Signs.

7.101 Purpose.

The purpose of this section is to regulate the number, type, location, physical dimensions, and design of signs within the City of Glendale in order to protect the public interest and achieve community objectives as follows:

A. To balance public and private objectives by allowing adequate signage for business identification.

B. To promote the free flow of traffic and protect pedestrians and motorists from injury and property damage which may be caused by cluttered, distracting, and illegible signage.

C. To prevent property damage and personal injury resulting from signs which are improperly constructed or poorly maintained.

D. To promote the use of signs which are well designed, of appropriate scale, and integrated with surrounding buildings and landscape in order to meet the community's desire for quality development.

E. To protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape which affects the image of the City of Glendale.

(Ord. No. 1772, 7-23-93)

7.102 General Provisions.

The regulations, requirements, and provisions set forth in this section shall apply to all signs erected, placed, or constructed within the city.

A. All signs shall comply with the unobstructed view easement requirements of the City of Glendale, Design Guidelines for Site Development and Infrastructure Construction.

B. All signs shall be structurally designed, constructed, erected, and maintained in accordance with all applicable provisions and requirements of the City of Glendale Building Codes.

C. Signs shall not be located in a manner which interferes with pedestrian travel or poses a hazard to pedestrians.

D. All signs and sign structures, conforming and nonconforming, shall be maintained in good order, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create a visual blight. If the Building Safety Director determines any sign or sign structure to be in an unsafe or unsightly condition, he shall immediately notify, in writing, the owner of such sign who shall correct such condition within forty-eight (48) hours. If the correction has not been made within forty-eight (48) hours, the Building Safety Director may have the sign removed if it creates a

danger to the public safety or welfare, or have any necessary repairs or maintenance performed at the expense of the sign owner, or owner or lessee of the property upon which the sign is located.

E. Signs may be illuminated or non-illuminated, unless otherwise restricted in this ordinance. The source of the sign's illumination shall not be visible from any street, sidewalk, or adjacent property. This shall not preclude the use of neon sign elements.

F. Sign area shall be measured as follows (See Figure SA-1):

1. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as that area contained within the sum of the smallest rectangles that will enclose both the sign copy and the background.

2. Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or other structure that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangles that will enclose each word and each graphic in the total sign.

3. Multi-face signs shall be measured as follows:

a. Two (2) face signs: If the interior angle between the two (2) sign faces is sixty (60) degrees or less, the area shall be of one (1) face only. If the angle between the two (2) sign faces is greater than sixty (60) degrees, the sign area will be the sum of the areas of the two (2) faces.

b. Three (3) or more face signs: The sign area will be fifty (50) percent of the sum of the areas of all faces.

4. Spherical, free-form, sculptural, or other non-planar sign area shall be fifty (50) percent of the sum of the sides of the smallest four (4) sided polyhedron that will encompass the sign structure.

G. Sign heights shall be measured as follows (See Figure SA-2):

1. Freestanding sign: Height shall be the vertical distance from the top of the highest element of the sign or sign structure to the top of the curb or crown of the roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

2. Wall fascia, mansard, and parapet mounted signs: Height shall be the vertical distance to the top of the sign or sign structure from the base of the wall on which the sign is located.

(Ord. No. 1772, 7-23-93)

7.103 Prohibited signs.

Any sign not specifically listed as permitted by this ordinance is prohibited, including, but not limited to the following:

A. Signs located within, on, or projecting over any public street, right-of-way, or other public property, except shingle signs and projecting signs as provided in Sections 7.104 C and D. The City may install signs on its own property to identify public buildings and uses, to provide necessary traffic control, and to provide pedestrian directional signs and map directional signs in the PR Zoning District as outlined in Section 7.104 D.

- B. Roof signs.
- C. Projecting signs, except in the PR Zoning District as provided for in Section 7.104 D.
- D. Any sign which interferes with or confuses traffic, or presents a traffic hazard.
- E. Signs emitting sound. This shall not apply to drive-up menu boards provided for in Section 7.104 C.5.
- F. Signs with intermittent or flashing illumination and animated or moving signs.
- G. Awning mounted signs, unless painted directly on the face of the awning.
- H. Signs mounted, attached, or painted on trailers, boats, or motor vehicles when parked, stored, or displayed in a manner intended to attract the attention of the public for advertising purposes.
- I. Pennants, banners, balloons, flags, and similar displays except as provided in Section 7.105.
- J. Temporary signs which advertise a business, commodity, service, entertainment, product, or attraction, except as permitted in Section 7.105.
- K. Reader panel signs except as specifically authorized herein.
- L. Portable signs except as provided in Section 7.105.
- M. Signs which extend below the bottom edge of a fascia board or mansard roof.

(Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96)

7.104 Permitted Permanent Signs.

Permitted signs shall conform to the definitions in Section 2.300 and the specific provisions for each zoning district. The following signs are permitted:

- A. Agricultural and Residence Districts.
 - 1. General:
 - a. This applies to all signs in the A-1, SR-30, SR-17, SR-12, R1-10, R1-8, R1-7, R1-6, R1-4, R-2, R-3, R-4, and R-5 zoning districts.
 - b. Freestanding signs shall not exceed a height of five (5) feet.
 - c. Wall signs shall not exceed a height of fifteen (15) feet.
 - d. The base of any freestanding sign shall have an aggregate width of at least fifty (50) percent of the width of the sign.
 - 2. Identification Signs:
 - a. Residence signs: one (1) or more wall signs not to exceed a total aggregate area of three (3) square feet shall be permitted. The sign may include only the name of the residence, the name of the occupant, and the street address.
 - b. Commercial farm or ranch signs: One (1) or more wall signs not to exceed a total aggregate area of eight (8) square feet shall be permitted. The sign may include only the name of the farm or ranch and a street address.
 - c. Multiple residence development, mobile home park, and subdivision entrance signs: a maximum of two (2) freestanding signs with an aggregate area of twenty-four (24) square feet shall be permitted at

each main entrance. The sign may include only the name of the development and the street address.

d. Nonresidential uses:

(1) The maximum aggregate area of all identification signs shall not exceed forty-eight (48) square feet.

(2) One (1) freestanding sign shall be permitted with a maximum area of twenty-four (24) square feet.

(3) Wall, fascia, mansard, and parapet signs may identify the facility, building, or organization by name or by name and principal activity when the name alone does not identify the general nature of the use. The street address may also be included.

(4) A freestanding sign may include only the name of the facility, building, or organization it is intended to identify. Such sign shall not include any advertising copy. The sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.

3. Reader Panel Signs:

a. Churches may use up to one-half (1/2) of the allowed freestanding sign area for a reader panel.

b. Public and private, elementary and secondary schools, and community colleges may have one (1) freestanding reader panel sign not to exceed thirty-two (32) square feet in area and fourteen (14) feet in height.

4. Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or a height of three (3) feet. Such signs may include identification wording or symbols on up to twenty-five (25) percent of the sign area.

5. Directory signs when required for multiple residence developments or other permitted facilities containing multiple tenants or building groups as follows:

a. Each directory shall be illuminated with a maximum area of eighteen (18) square feet and a maximum height of six (6) feet.

b. The number and location of the signs must comply with fire department requirements.

6. Temporary signs in accordance with Section 7.105.

B. Office Districts.

1. General. This applies to all signs in the R-O, C-O, and G-O zoning districts.

2. Wall, fascia, mansard, and parapet identification signs.

a. These signs shall not exceed a height of fifteen (15) feet.

b. The maximum sign area permitted per building shall be twenty-four (24) square feet in the R-O and C-O districts and forty-eight (48) square feet in the G-O district.

c. Such sign may identify the individual businesses, building complex, or center, by name. The sign may show the name of the business and up to three (3) principal services when the name alone does not

identify the general nature of the business. It may include the street address. Such sign shall not include advertising copy.

d. The maximum sign area permitted per building shall be one-hundred (100) square feet in the C-O and G-O districts for any office building which exceeds ten-thousand (10,000) square feet or more and is located on a site with three-hundred thirty (330) lineal feet or more of continuous frontage on an arterial street, and the sign face cannot be seen from residential districts. The maximum sign area per tenant shall not exceed forty (40) square feet on any building elevation.

e. Major medical center:

(1) Wall, fascia, mansard, parapet, and awning signs are allowed only on the exterior elevation of the space occupied by the business or service.

(2) The sign area shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed.

(3) The maximum aggregate sign area is six hundred (600) square feet per major medical center.

(4) No more than two (2) of these signs shall be permitted per building or structure.

(5) These signs may identify the name of the major medical center and up to three (3) principal departments, businesses, offices, or services in the major medical center. Such sign shall not include any advertising copy.

3. Freestanding Identification Signs.

a. One (1) freestanding sign shall be permitted per project.

b. The sign shall not exceed a height of five (5) feet.

c. The sign shall not exceed a height of eight (8) feet in the C-O and G-O districts when the project includes a building of ten-thousand (10,000) square feet or more and the site has a minimum of three-hundred thirty (330) lineal feet of continuous frontage on an arterial street.

d. The base shall have an aggregate width at least fifty percent (50%) of the width of the sign.

e. The maximum sign area in the C-O and G-O districts is forty-eight (48) square feet when the project includes a building of ten-thousand (10,000) square feet or more and the site has a minimum of three-hundred thirty (330) lineal feet of continuous frontage on an arterial street.

f. The maximum sign area in the R-O district is twelve (12) square feet. The maximum sign area in the C-O and G-O districts is twenty-four (24) square feet on parcels up to two (2) acres and thirty-six (36) square feet for parcels over two (2) acres.

g. Single tenant buildings: The sign may include only the name of the business or building it is intended to identify. Such sign shall not include any advertising copy.

h. Multi-tenant buildings and complexes: The sign may identify the name of the building or complex and the name of up to three (3) businesses within the building or complex. However, when a business name is included in the name of the complex, only two (2) additional businesses may be identified. Such sign shall not include any advertising copy.

i. The sign must include the number of the street address, but the area of these numerals shall not be included in calculating the allowed sign area.

j. Major medical center:

(1) One (1) freestanding sign shall be permitted per project, with the following exception for multiple street frontages:

(a) One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three-hundred thirty (330) feet.

(b) Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two (2) signs on the same street frontage shall be three-hundred thirty (330) feet.

(2) The sign shall not exceed a height of twelve (12) feet. A maximum of two (2) additional feet may be devoted to architectural embellishments. The architectural embellishment cannot include any signage.

(3) The base shall have an aggregate width of at least fifty percent (50%) of the width of the sign.

(4) The maximum sign area for each sign is seventy-two (72) square feet.

(5) These signs may identify the name of the major medical center and up to three (3) principal departments, businesses, offices, or services in the major medical center. Such sign shall not include any advertising copy.

4. Reader Panel Signs: Churches may use up to one-half (1/2) of the allowed freestanding sign area for a reader panel.

5. Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or a height of three (3) feet. Such signs may include business identification by word or symbol on up to twenty-five percent (25%) of the sign area.

6. Directory signs when required to identify the location of the various buildings or offices located within the complex as follows:

a. Each directory shall be illuminated with a maximum area of eighteen (18) square feet and a maximum height of six (6) feet.

b. The number and location of the signs must comply with Fire Department requirements.

c. Major medical center:

(1) The sign shall not exceed a height of eight (8) feet.

- (2) The maximum sign area for each sign is thirty (30) square feet.
 - (3) Each sign shall be set back at least fifty (50) feet from a perimeter property line of the major medical center.
 - 7. Temporary signs in accordance with Section 7.105.
 - 8. Hospital Emergency Signs.
 - a. Freestanding identification signs:
 - (1) Copy that identifies a hospital emergency facility is permitted on any of the freestanding identification signs permitted in Section 7.104 B.3.j above. This copy shall be in addition to any other departments, businesses, offices, or services identified on the sign.
 - (2) A maximum of two (2) freestanding signs shall be permitted for identification of a hospital emergency facility only. These signs are in addition to signs permitted in Section 7.104 B.3.j above.
 - (3) The sign shall not exceed a height of six (6) feet.
 - (4) The maximum sign area shall be ten (10) square feet.
 - b. Wall signs:
 - (1) Two (2) signs shall be permitted per hospital emergency facility.
 - (2) The maximum sign area for each wall sign is thirty (30) square feet.
 - (3) The signs may be located on a separate feature or structure.
- C. Commercial and Industrial Districts Except Pedestrian Retail.
 - 1. General. This applies to all signs in the SC, C-1, NSC, C-2, CSC, C-3, B-P, M-1, and M-2 zoning districts unless otherwise restricted.
 - 1.5. For buildings with single retail use with a gross floor area less than one hundred fifty thousand (150,000) square feet.
 - 2. Wall, fascia, mansard, parapet, awning, and shingle identification signs.
 - a. Wall, fascia, mansard, parapet, and awning signs are allowed only on the exterior elevation of the space occupied by the business. A shingle sign must be located immediately adjacent to the business it identifies.
 - b. The sign area for each business shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed.
 - c. Businesses on a separate parcel or lot, or on a pad site within a project of three (3) or more businesses, shall be permitted sign area as described in 2b above for any one (1) elevation, with sign area on all other elevations not to exceed one-half (1/2) square foot for each linear foot of elevation where the sign is displayed (see Figure SA-2).

d. The maximum aggregate sign area is two hundred (200) square feet per business.

e. Such sign may identify the individual businesses, building complex, or center by name. The sign may show the name of the business and up to three (3) principal services when the name alone does not identify the general nature of the business. It may also include the street address. Such sign shall not include advertising copy.

f. Awning Signs:

(1) A maximum of twenty-five percent (25%) of the front face area of an awning may be used for signage.

(2) The sign area shall be measured according to Section 7.102 F.2. of this ordinance unless a distinctive background is provided.

(3) If letters or graphics are placed on the valance, they shall not be placed elsewhere on the awning.

(4) Only the face area of the letters or graphics may be illuminated. Any illumination must be internal, behind the face of the awning.

g. Shingle Signs:

(1) One (1) shingle sign which is designed and oriented primarily for the aid of pedestrians may be allowed per business.

(2) The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven (7) feet, six (6) inches.

2.5. For buildings with single retail uses with a gross floor area greater than one hundred fifty thousand (150,000) square feet:

a. Wall, fascia, mansard, parapet, and awning signs are allowed only on the exterior elevations of the space occupied by the business on street frontages that access the property.

b. The sign area for each single retail use shall not exceed a maximum of four hundred fifty (450) square feet. The sign area shall include all wall parapet and awning signage.

c. The maximum size of any single wall sign shall not exceed two hundred (200) square feet.

d. When the wall on which a sign is to be placed is within one hundred fifty (150) feet of a residential zoning district, only non-illuminated signs shall be permitted.

e. Such signs may identify the individual businesses, building complex, or center by name. The sign may show the name of the business and up to five (5) principal services when the name alone does not identify the general nature of the business. It may also include the street address. Such signage shall not include advertising copy.

3. Freestanding Identification Signs.

a. General.

(1) The sign must include the number of the street address. The minimum height of the numerals shall be six (6)

inches and the maximum height shall be twelve (12) inches. The area of these numerals shall not be included in calculating the allowed sign area.

b. Single Tenant Buildings.

(1) One (1) freestanding sign shall be permitted per project, with the following exception for multiple street frontages:

a. One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three hundred and thirty (330) feet.

b. Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two signs on the same street frontage shall be three hundred and thirty (330) feet.

(2) The sign shall not exceed a height of ten (10) feet.

(3) The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

(4) The maximum sign area for each sign is forty-eight (48) square feet on parcels up to twenty (20) acres and sixty (60) square feet for parcels over twenty (20) acres.

(5) The sign may identify only the name of the business or building it is intended to identify. Such sign shall not include any advertising copy.

c. Dual Tenant Buildings.

(1) Dual tenant buildings on an independent site that is not part of a shopping center project shall be permitted one (1) freestanding sign, with the following exception for multiple street frontages:

a. One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three hundred and thirty (330) feet.

b. Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two signs on the same street frontage shall be three hundred and thirty (330) feet.

(2) The sign shall not exceed a height of ten (10) feet.

(3) The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

(4) The maximum sign area for each sign is forty-eight (48) square feet on parcels up to twenty (20) acres and sixty (60) square feet for parcels over twenty (20) acres.

(5) The sign may identify only the name of the business or building it is intended to identify. Such sign shall not include any advertising copy.

(6) A fast food establishment within a convenience store must meet the following criteria to be considered a business for identification purposes:

- a. The fast food establishment must have an outdoor service window, a drive-thru window, or inside service counter which is dedicated exclusively to that franchise.
- b. The fast food establishment must have at least one (1) full-time employee.
- c. The building floor area devoted exclusively to the fast food establishment shall not be less than one hundred (100) square feet.
- d. Multi-tenant buildings in the B-P, M-1, and M-2 zoning districts.

(1) One (1) freestanding sign shall be permitted per project, with the following exception for multiple street frontages:

a. One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three hundred and thirty (330) feet.

b. Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two signs on the same street frontage shall be three hundred and thirty (330) feet.

(2) The sign shall not exceed a height of ten (10) feet.

(3) The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

(4) The maximum sign area for each sign is forty-eight (48) square feet on parcels up to twenty (20) acres and sixty (60) square feet for parcels over twenty (20) acres.

(5) The sign may identify the name of the building, complex, or center and the name of up to three (3) businesses within the building or complex. However, when a business name is included in the name of the complex, only two (2) additional businesses may be identified. Such sign shall not include any advertising copy.

e. Multi-tenant buildings and shopping centers in SC, C-1, NSC, C-2, CSC and C-3 zoning districts.

(1) One (1) freestanding sign shall be permitted per project with the following exception for multiple street frontages:

a. One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three hundred thirty (330) feet,

b. Two (2) signs may be permitted for each street if the frontage adjacent to the site is at least eight hundred (800) feet. The minimum distance between two

signs on the same street frontage shall be three hundred thirty (330) feet.

(2) The sign shall not exceed a height of twelve (12) feet. A maximum of two additional feet may be devoted to architectural embellishments. The architectural embellishment cannot include any signage.

(3) The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

(4) The maximum sign area for multi-tenant shopping centers on parcels up to twenty (20) acres is eighty (80) square feet and one hundred ten (110) square feet for parcels over twenty (20) acres.

(5) The sign may identify the name of the building complex, or center and the names of a maximum of ten (10) tenants within the complex. Such signs shall not include any advertising copy.

a. A fast food establishment within a convenience store must meet the following standards to be considered a business for identification purposes.

(1) The fast food establishment must have an outdoor service window, a drive-thru window, or inside service counter dedicated exclusively to that franchise.

(2) The fast food establishment must have at least one (1) full-time employee.

(3) The building floor area devoted exclusively to the fast food franchise shall not be less than one hundred (100) square feet.

b. The height of letters used in identification of individual tenants shall be a minimum of four (4) inches.

(6) All multi-tenant signs shall be reviewed for compliance with the multi-tenant freestanding identification sign design guidelines.

4. Reader Panel Signs.

a. Churches may use up to one-half (1/2) of the allowed freestanding sign area for a reader panel.

b. Gasoline service stations may use up to one-half (1/2) of the allowed freestanding sign area for a reader panel only to identify the current price of fuel being sold. The maximum sign area used for the reader panel shall be twenty-four (24) square feet.

c. An automobile fueling station located in a shopping center project shall be permitted one (1) freestanding fuel reader panel sign, with the following exception for multiple street frontages. One (1) sign may be permitted for each street if the frontage adjacent to the site is at least three hundred and thirty (330) feet.

(1) Each fuel price reader panel sign shall have a maximum of sixteen (16) square feet of sign area.

(2) The reader panel sign area shall include a maximum of one-third (1/3) devoted to fuel grade or type and two-thirds (2/3) to fuel prices. This shall not include brand or business identification.

(3) The sign shall not exceed a height of six (6) feet.

(4) The base shall have an aggregate width of at least fifty (50) percent of the width of the sign.

d. Theaters.

(1) One (1) wall, fascia, mansard, or parapet sign may contain a reader panel.

(2) The area of the reader panel shall not exceed seventy-five (75) square feet or the maximum wall sign area otherwise allowed, whichever is less.

(3) The reader panel shall be used exclusively for the purpose of identifying entertainment, motion pictures, or special events which occur on the premises.

5. Menu Boards for Drive-Thru Restaurants.

a. One (1) preview menu board and one (1) ordering menu board is allowed per business. Such signs may be freestanding or wall mounted.

b. The maximum aggregate area for a preview menu board and an ordering board per business, shall not exceed forty-five (45) square feet.

c. The maximum sign height shall not exceed six (6) feet for freestanding signs.

6. Directional signs when required to assist the flow of traffic not to exceed six (6) square feet in area or a height of three (3) feet. Such sign may include business identification by word or symbol on up to twenty-five (25) percent of the sign area.

7. Directory signs when required to identify the location of the various buildings or businesses located within the center or complex as follows:

a. Each directory shall be illuminated with a maximum area of eighteen (18) square feet and a maximum height of six (6) feet.

b. The number and location of the signs must comply with Fire Department requirements.

8. Temporary signs in accordance with Section 7.105.

D. Pedestrian Retail District.

1. General.

a. This applies to all signs in the PR Zoning District.

b. All permanent signs in the PR Zoning District are subject to design review as outlined in Section 3.600.

c. A wall, fascia, mansard, parapet, projecting or window identification sign may identify the name of the business and up to three (3) principal services when the name alone does not identify the general

nature of the business. It may also include the street address. Such signs shall not include advertising copy.

d. Awning and shingle signs may only identify the name of the business.

2. Wall, Fascia, Mansard, and Parapet, Identification Signs.

a. A wall, fascia, mansard, or parapet sign is not permitted if a projecting sign is used to identify the business.

b. A wall, fascia, mansard, or parapet sign is allowed only on the exterior elevation of the space occupied by the business.

c. No more than one (1) wall, fascia, mansard, or parapet sign per business is permitted on each street or alley frontage.

d. The sign area for each business shall be as follows:

(1) The sign area for each ground floor business on a street shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.

(2) The sign area for each ground floor business on an alley shall not exceed one-half (1/2) square foot for each linear foot of the business wall elevation along the alley frontage on which the sign is displayed. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.

(3) The sign area for a business located only on an upper floor shall not exceed one-half (1/2) square foot for each linear foot of the business wall elevation along the street or alley frontage on which the sign is displayed.

3. Projecting Identification Signs.

a. A projecting sign is not permitted if any wall, fascia, mansard, or parapet sign is used to identify the business.

b. A projecting sign is allowed only for a ground floor business.

c. A projecting sign is allowed only on the exterior elevation of the space occupied by the business.

d. No more than one (1) projecting sign per business is permitted on each street or alley frontage.

e. The sign area for each business shall be as follows:

(1) The sign area for each ground floor business on a street shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed, up to a maximum of fifteen (15) square feet. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.

(2) The sign area for each business on an alley shall not exceed one-half (1/2) square foot for each linear foot of the

business wall elevation along the alley frontage on which the sign is displayed, up to a maximum of six (6) square feet. If the business occupies the ground floor and an upper floor, the sign area shall be the same as for a ground floor only business.

f. The minimum separation between the sign and the face of the building shall be three (3) inches.

g. The maximum sign projection from the face of the building shall be five (5) feet. No sign shall project beyond the bracket on which it is hung.

h. On a one-story building, the top of the projecting sign and its supporting framework shall not be higher than the top of the cornice line. On a multiple story building, the top of the projecting sign and its supporting framework shall not be higher than the top of the second-story window sills of the building from which the sign projects.

i. The sign shall be perpendicular to the building and attached to the bracket on which it is hung so that it will not swing.

j. The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven (7) feet six (6) inches.

4. Window Identification Signs.

a. The area covered by window signs shall not exceed fifty (50) percent of the exterior window area.

b. Window signs on required exit doors shall not exceed twenty-five (25) percent of the glass area of the door.

5. Awning Identification Signs.

a. A maximum of fifty (50) percent of the valance area of the awning may be used for signage.

b. The sign area shall be measured according to Section 7.102-F-2. of this ordinance unless a distinctive background is provided.

6. Shingle Identification Signs.

a. One (1) shingle sign which is designed and oriented for the aid of pedestrians is allowed per business. A shingle sign must be located immediately adjacent to the business it identifies.

b. The maximum area of a shingle sign shall be three (3) square feet.

c. The minimum clearance between the bottom of the sign and the nearest grade or sidewalk shall be seven (7) feet six (6) inches.

7. Directory Signs.

a. A directory sign is permitted when used to:

(1) Direct pedestrians to businesses within a building or complex which do not have an exterior wall elevation along a street or alley frontage; or

(2) To direct pedestrians to multiple businesses that use a single entrance.

b. The director sign shall have a maximum area of four (4) square feet.

c. The directory sign shall be located at the entrance to the building or complex.

8. Pedestrian Directional Signs.

a. Directional signs for pedestrians indicating the type of businesses available in the immediate area are allowed subject to approval of a master directory sign plan by the city council. The master plan will address items such as the general design, location, and size of signs. Such signs shall not include advertising copy.

b. These signs shall be located on street corners in the public right-of-way and be designed at a pedestrian scale.

c. The specific design, location, and size of each sign will be determined through the design review process outlined in Section 3.600 based on the approved master directory sign plan.

9. Map Directory Signs.

a. Map directory signs intended to show pedestrians the overall location of businesses, public buildings, recreational facilities, and other features in the PR District are allowed, subject to approval of a master directory sign plan by the city council. The master plan will address items such as the general design, location, and size of signs. Such signs shall not include advertising copy.

b. These signs shall show a map of the area and the location of individual businesses and be designed at a pedestrian scale.

c. The maximum sign area shall be twenty-four (24) square feet.

d. The specific design, location, and size of each sign will be determined through the design review process outlined in Section 3.600 based on the approved master directory sign plan.

(Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96; Ord. No. 1901, 12-24-96; Ord. No. 1932, § 1, 3-25-97; Ord. No. 1935, § 1, 4-22-97; Ord. No. 1988, § 1, 2-10-98; Ord. No. 1999, § 1, 4-14-98; Ord. No. 2177, § 5, 12-19-00; Ord. No. 2254, § 1, 5-14-02; Ord. 2280, § 2, 10-22-02; Ord. No. 2372, § 1, 3-23-04)

7.105 Permitted Temporary Signs.

The following temporary signs are permitted in all zoning districts subject to the definitions in Section 2.300, the regulations in Section 7.102, and the following regulations:

A. Sale, Lease, or Rent Signs.

1. General.

a. One (1) non-illuminated sign pertaining only to the property on which it is located shall be permitted for each street frontage.

b. A maximum of two (2) signs shall be permitted per parcel.

2. Agricultural and Residence Districts.

a. Vacant land.

(1) Less than five (5) acres: Each sign shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.

(2) Five (5) acres or more: Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

b. Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) square feet.

3. Office, Commercial, and Industrial Districts.

a. Vacant land: Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

b. Buildings: Each sign shall have a maximum area of twelve (12) square feet and a maximum height of six (6) feet.

B. Subdivision Advertising and Directional Signs.

1. General. A master sign package for each development including the type, number, size, location, materials, and colors of the various signs shall be approved by the Planning Department prior to the issuance of a permit for any sign authorized under this subsection.

2. On-Site Advertising Signs.

a. One (1) sign shall be permitted at each major entry with a maximum of four (4) signs per subdivision.

b. The maximum aggregate area of all signs shall be one hundred sixty (160) square feet.

c. The maximum height shall be fifteen (15) feet.

d. The edges of the sign shall be boxed.

e. No sign permits shall be issued until a preliminary plat has been approved by the City.

f. Upon expiration of a preliminary plat, if no final plat is approved, all signs must be removed within ten (10) days.

g. Such signs may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

h. Such signs shall not be located within fifty (50) feet of any property line of an existing residence.

3. Subdivision Identification Flags.

a. A maximum of fifteen (15) flags per subdivision are allowed.

b. The area of each flag shall not exceed six (6) square feet.

c. The maximum height of any flag shall be twenty-five (25) feet.

d. There shall be a minimum distance of twenty (20) feet between flags.

e. All flags shall be placed within the boundaries of the subdivision with the permission of the property owner, if this is other than the developer.

f. The flags may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

g. Lettering and logos are not allowed on the flags.

4. Off-Site Identification signs for subdivisions within the City of Glendale.

a. Such sign must be located within one (1) mile of the subdivision, on vacant property, with the written permission of the property owner.

b. A maximum of two (2) signs are permitted for each subdivision located on an arterial street. Each sign shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

c. Such signs may be maintained until ninety-five (95) percent of the lots in the subdivision are sold or the sales office closes, whichever occurs first.

5. Off-Site weekend directional signs for subdivisions within the City of Glendale.

a. Sign permits are established for each subdivision on an annual basis. The applicant must submit a site plan showing all locations of proposed signs. Any changes to the location of the signs must be approved by the City.

b. A maximum of eight (8) signs per subdivision.

c. Signs shall not exceed a maximum sign area of four (4) square feet.

d. The copy content of each sign shall be directional instructions and must show subdivision name, directional arrows, and may also include the builders name.

e. Signs may not be installed before 4:00 p.m. on Friday, and must be removed before 8:00 a.m. on the following Monday, except when a legal holiday occurs on a Monday, signs must be removed by 8:00 a.m. on the following Tuesday.

f. Signs will have the name and telephone number of the sign company, or if no sign company is designated by the builder/developer to distribute the signs, the builder/ developer's, name shall be placed on the back side of the sign with a contact and telephone number.

g. No sign shall be allowed in any public right-of-way.

h. No sign shall be located within fifty (50) feet of another sign.

i. No sign shall be attached to any roadway or natural feature including light, signal poles, street or regulatory signs, bridges, trees, or other existing facilities.

j. Signs shall not exceed a vertical height of three (3) feet.

k. Signs must be limited to not more than one (1) mile from the subdivision identified.

l. Signs shall not be installed on private property unless written authorization of such installation is provided to the city at the time of permit application.

C. Promotional Displays.

1. These displays may be used to advertise grand openings, a change of business ownership, special sales, new products or services, and other promotions.

2. This includes pennants, banners, balloons, streamers, flags, inflatable structures, search lights, character or product likenesses, attention attracting media and devices, and other non-merchandise displays.

3. Such displays shall be allowed for a maximum of ten (10) consecutive days, no more than three (3) times per year. One (1) grand opening promotional display is allowed per year for a period not to exceed thirty (30) days. The grand opening display requires a new business or change in business name.

4. There shall be a minimum of thirty (30) days between each display.

D. Special Events, Seasonal Sales.

One (1) non-illuminated sign is allowed for the duration of the event.

1. In Agricultural, residence, and office districts, such signs shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.

2. In commercial and industrial districts, such signs shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

E. Non-Commercial Signs.

1. General. These signs may be placed for a period not to exceed one hundred eighty (180) days. After the one hundred eighty (180) day period, the sign must be removed and may not be replaced within or on the same parcel or lot for a period of ninety (90) days.

a. In agricultural, residence, and office districts, such signs shall have a maximum area of six (6) square feet and a maximum height of five (5) feet.

b. In commercial and industrial districts, such signs shall have a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

2. Political Signs.

a. One (1) sign for each candidate or measure shall be permitted for each street frontage with no more than two (2) signs on any lot or parcel of land.

b. Within the agricultural and residence districts, the maximum sign area shall be six (6) square feet, and the maximum height shall be five (5) feet.

c. Within the office, commercial, and industrial districts, the maximum sign area shall be thirty-two (32) square feet, and the maximum height shall be eight (8) feet.

d. The person, party, or organization responsible for the erection or distribution of such signs shall remove them within ten (10) days after the specific election to which they refer.

e. Such signs shall be placed only with the property owner's permission.

F. Construction and Development Signs.

1. One (1) non-illuminated sign is allowed on the construction site with a maximum area of thirty-two (32) square feet and a maximum height of eight (8) feet.

2. If building permits have not been issued within six (6) months after issuance of the sign permit, the sign shall be removed and any new construction and development sign for substantially the same project at the same location will be approved only after a building permit for the project has been issued by the City.

3. Such sign shall be removed prior to the issuance of a Certificate of Occupancy for the site.

4. The sign may identify the name of the project, the names of the developer, contractor, architect, subcontractor, and financier for the project, and the projected completion date.

G. Open House Directional Signs:

1. There shall be a maximum of four (4) such signs for each home for sale, including any such sign at the property for sale.

2. Each sign shall have a maximum area of three (3) square feet and a maximum height of three (3) feet.

3. Such signs may be posted only when a salesperson is on duty at the home and shall not be allowed for more than nine (9) hours per day.

4. Such signs shall not be placed in the public rights-of-way.

H. Window Signs.

1. These signs may be used for business identification and advertising of any service, product, person, business, place, or activity on the premises.

2. Such signs may include, but are not limited to, the business name, street address, phone number, business hours, meeting times, individual or specific products, services, or merchandise and related price information, slogans, and sale announcements.

3. There are no limitations on sign area or window coverage except in the PR District where the total area of all permanent and temporary window signs shall not exceed fifty (50) percent of the exterior window area.

I. Menu Signs.

1. A menu sign may be used to display the published menu and corresponding prices of a restaurant. The sign may indicate hours of operation and information regarding entertainment the restaurant provides.

2. Only one (1) menu sign per restaurant is allowed.

3. The area of a menu sign cannot exceed four (4) square feet.

4. The sign shall be enclosed in a casing attached to the building and extending from the wall not more than five (5) inches.

J. Downtown Promotional Banners.

1. These banners may be used only to identify city-authorized special events within the downtown. They shall not be used to identify or advertise individual businesses, sales, products, or services.

2. The special event shall be represented on the banner by decorative graphic. Only one graphic shall be used for each special event.

3. There shall be one banner permitted for each business. The banner shall be mounted on the building or within a display window.

4. The banner may be displayed from a pole located perpendicular to the building. The minimum clearance between the bottom of the pole and the nearest grade or sidewalk shall be seven (7) feet, six (6) inches.

5. The banners shall be made of cloth, nylon, or similar material.

6. The banner shall not exceed six (6) square feet in size.

7. The banners shall be allowed for a maximum of forty-five (45) consecutive days, no more than four (4) times per year.

8. There shall be a minimum of fifteen (15) days between each special event.

9. Downtown promotional banners shall be limited to the area described as follows: starting at the southeast corner of Myrtle Avenue extending south along 59th Avenue to Grand Avenue, then southeast along Grand Avenue to Lamar Road, then east along Lamar Road to 56th Avenue, then north along 56th Avenue to Palmaire Avenue, then west to the alley between 56th Avenue and 55th Avenue, then north to Myrtle Avenue, and then west to the southeast corner of 59th Avenue and Myrtle Avenue. (See Map #9, Downtown Promotional Banners.)

(Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96; Ord. No. 1947, §§ 2, 3, 6-24-97)

7.106 Billboards.

A. Billboards are permitted only in the C-3, M-1, and M-2 zoning districts.

B. No billboard shall be erected within six hundred sixty (660) feet of the planned or existing freeway, expressway, parkway, right-of-way, or planned corridor, as officially designated by the Arizona Department of Transportation or the City of Glendale.

C. No new billboards may be constructed within the city unless the person desiring to construct such a billboard submits evidence to the City that the person has removed an existing billboard. If evidence is submitted that a billboard has been removed after the effective date of this ordinance, the City shall issue building and sign permits for one (1) new billboard not to exceed the area of the sign which was removed or three hundred (300) square feet, whichever is less. However, if a person submits evidence that in excess of three hundred (300) square feet of billboard area has been removed, by the removal of four (4) or more billboards with an area of seventy-five (75) square feet or less, the City shall issue building permits for one (1) new billboard with a maximum area of three hundred (300) square feet. Any new billboard shall be erected, constructed, or placed within six (6) months after removal of the billboard(s) it is replacing.

D. All billboards erected, placed, or altered within the city shall comply with the following requirements:

1. The space between the newly erected, placed, constructed, or altered billboard and any existing billboard shall not be less than six hundred (600) feet.

2. All billboards shall have landscaping around the base at a rate of fifteen (15) square feet per linear foot of sign.

3. Off-site improvements or appropriate financial assurance as approved by the City shall be required along any abutting street for the full frontage of the property where the billboard is to be located.

4. No part of such sign structures shall be erected closer to a street than the front line of the nearest building which is within one hundred (100) feet of the sign and which fronts on that street; provided, however, that when a sign is erected between two (2) buildings which both front on the same street and which are both within one hundred (100) feet of the sign, then the sign shall not be erected closer to that street than a line drawn from the nearest front corner of each building. If no building is located within one hundred (100) feet of the off-premise sign, the sign structure shall be set back in accordance with the setback requirements of the zoning district in which located, but shall not be less than ten (10) feet behind a front property line.

5. Notwithstanding any other provision in this section, no billboards shall be erected, placed, constructed, or altered within the city which have an area exceeding three hundred (300) square feet or a height exceeding twenty-five (25) feet.

6. The billboard's structure, not including the sign copy, shall be compatible with the color, reflectivity, and other qualities of its surrounding environment.

7. No billboard shall have more than one (1) support column.

8. Access ladders to maintenance platforms shall be constructed or maintained in such a position as not to project beyond a visual envelope established by structural elements or projections of the sign face and trim to the ground as viewed from a place parallel to the face of the sign.

9. Other than support columns, maintenance walkways, embellishments, ends, cross bracings, tops or bottoms, parallel or v-shaped signs, no back braces, torque arms, stringers, panel attachments, or similar structural elements or accessories shall be exposed. If such elements or accessories are not covered by a sign face, screening of such elements or accessories shall be colored similarly to the remaining portions of the sign back.

(Ord. No. 1772, 7-23-93)

7.107 Nonconforming Signs.

A. Maintenance. Nonconforming signs shall be maintained in good condition pursuant to Section 7.102. Maintenance means replacing or repairing a worn or damaged part or portion of a sign in order to return it to its original state.

B. Alterations. A nonconforming sign or sign structure shall not be altered, reconstructed, replaced, or relocated other than to comply with this article, except:

1. Reasonable repair and maintenance limited to a maximum total of fifty (50) percent of the sign's or structure's reproduction cost as determined from an appraisal by a competent appraiser.

2. Change of reader panel(s), face panel(s) or copy.

3. See Subsection D. Improvements to Freestanding Signs.

C. Removal. Nonconforming signs shall be removed or brought into conformance with this Ordinance when:

1. More than fifty (50) percent of the reproduction cost of the sign or sign structure has been damaged or destroyed or by any means or taken down as determined from an appraisal by a competent appraiser;

2. The condition of the sign has deteriorated to such an extent that the cost of repairs exceeds fifty (50) percent of the reproduction cost of the sign or sign structure as determined from an appraisal by a competent appraiser;

3. The property undergoes development or redevelopment in accordance with the design review section of this ordinance;

4. The use of this sign or the property on which it is located has ceased, become vacant or been unoccupied for a period of six (6) months or more. In the event any of these should occur, the sign shall be presumed to be abandoned and shall be removed by the owner of the property, his agent, or person having the beneficial use of the building or structure upon which said sign or sign structure is erected within thirty (30) days after written notification from the Planning Director or a designee.

D. Improvements to Freestanding Signs.

1. A legal non-conforming freestanding sign may be improved in the SC, C-1, C-2, C-3, M-1 and M-2 zoning districts subject to the approval of a conditional freestanding sign use permit by the planning commission. The conditional use permit procedures and appeal rights are defined in Section 3.900. For the purposes of this section, improvement of an existing non-conforming sign does not include routine repairs or maintenance.

2. The purpose of improving a legal non-conforming freestanding single tenant or multi-tenant sign is to significantly reduce the sign non-conformity while enhancing both the property and the community. Improvements may include refurbishing signs which are structurally sound or installation of a new sign.

3. Application Requirements. In addition to the application requirements outlined in Section 3.902 the following information shall be submitted:

a. Elevations and a description of the existing sign;

b. Elevations and a detailed description of improvements to the existing sign or new sign;

c. A written summary of reduction of nonconformity for the proposed sign; and

d. A statement of how the application will meet the required findings.

4. The planning commission or city council shall make the following findings before granting a freestanding sign use permit:

a. The freestanding sign is designed in a manner that improves the appearance of the property and enhances the surrounding area.

b. The new sign significantly reduces the nonconformity of the existing sign.

c. The sign improves the identification of both the site and the tenants.

d. The sign is consistent with the applicable sections of the city's multi-tenant freestanding identification sign design guidelines, including sign location and orientation, sign structure, and sign design.

E. Improvements-Comprehensive Sign Overlay District (SOC). Legal nonconforming signs can be improved or enhanced as part of the comprehensive sign overlay district. See Section 6.700.

(Ord. No. 1772, 7-23-93; Ord. No. 1935, § 1, 4-22-97)

7.108 Exempt Signs.

A. Traffic signs or barricades erected or maintained by a governmental entity shall be exempt from the provisions of this article.

B. Signs not visible beyond the boundaries of the property upon which they are located shall be exempt from the provisions of this article, except those public safety provisions contained in Section 7.102.

(Ord. No. 1772, 7-23-93)

7.109 Required Permits and Fees.

A. Building and sign permits shall be obtained prior to erecting, placing, constructing, altering, or changing the copy on any sign within the city except:

1. The following temporary signs:
 - a. Open house direction signs;
 - b. Non-commercial signs;
 - c. Sale, lease, or rent signs;
 - d. Window signs;
 - e. Menu signs; and
 - f. Political signs.
2. Residence and commercial, farm or ranch identification signs.
3. Change of copy on reader panel signs or copy on any billboard.

B. It shall be unlawful for any person to erect, place, construct, alter, or maintain any sign, except those exempt signs listed in Subsection A herein, when all required permits have not been issued for that sign or billboard. Each day such a sign is allowed to exist without having obtained the required permits, shall constitute a new offense.

C. The permit fees shall be in the amount established by City Council resolution or pursuant to Glendale City Code Section 2-3.

D. An application for a sign permit must be made in writing on forms provided by the Development Services Center. The following information will be required on all sign permit applications:

1. Address of the property.
2. Business name.
3. Business owner's name, address and telephone number.
4. Sign contractor's name, address, and telephone number.
5. Glendale sales tax number and contractor's license number.
6. Valuation of the sign(s).
7. Inventory of all existing signs on the property showing the type, dimensions, and location of each sign.
8. Fully dimensioned plans and elevations showing the dimensions, design copy, and location of each proposed sign.
9. Plans indicating the scope and structural detail of the work to be done; including details of all connections, supports, footings, and materials to be used.
10. Required information for an electrical permit for all electric signs.
11. Color, material, and letter samples when the sign is subject to design review.

Applications which do not include the required information shall not be accepted.

E. Permits for copy changes only, shall be processed within one (1) business day of submittal of application.
(Ord. No. 1772, 7-23-93; Ord. No. 1874, § 1, 3-12-96; Ord. No. 2260, § 7, 6-11-02)

Section 7.200 Landscaping, Buffering, Walls.

7.201 Walls.

A. The developer of property in SC, C-1, NSC, C-2, CSC, C-3, B-P, M-1, or M-2 districts which abuts any residential district must provide a wall with a minimum height of eight (8) feet along the abutting property line. The wall must be at least eight (8) inches thick and constructed of decorative block or other finish approved by the Planning Director, consistent with the project and the adjoining residential area.

1. Any loading docks within one hundred (100) feet of a residential district must have a separate eight (8) foot high wall of similar materials to screen the dock area.

2. Any wall or fence exceeding six (6) feet in height requires approval of fence construction plans to ensure structural stability.

B. The developer of properties in R-O, C-O, or G-O districts, or of any nonresidential use in any residential district which abuts any residential district, must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish approved by the Planning Director, consistent with the project and the adjoining residential district.

C. The developer of properties in the R-2, R-3, R-4, or R-5 districts which abut any A-1, SR, or R-1 districts must provide a wall with a minimum height of six (6) feet along the abutting property line. The wall must be constructed of decorative block or other finish approved by the Planning Director, consistent with the project and the adjoining residential district.
(Ord. No. 1772, 7-23-93; Ord. No. 2177, § 6, 12-19-00)

7.202 Landscaping and Buffering.

A. Minimum on-site landscaping as a percentage of total site area.

1. Thirty (30) percent in R-2, R-3, R-4, R-5, R-O districts and for any nonresidential use in SR or R-1 districts.

2. Twenty (20) percent in C-O, G-O, C-1, NSC, SC, CSC, C-2, C-3, and B-P districts.

3. Five (5) percent in M-1 and M-2 districts.

B. Landscape Buffers.

1. Fifteen (15) feet where any multi-family or nonresidential use abuts a single-family district.

2. Fifteen (15) feet where any nonresidential use abuts a multifamily district.

3. Twenty-five (25) feet where any loading docks and service drives abut residential districts.

(Ord. No. 1772, 7-23-93; Ord. No. 2177, § 6, 12-19-00)

7.203 Other Requirements.

More detailed requirements for on-site and off-site landscaping are included in the City of Glendale Landscape Ordinance (Chapter 19 of the City Code).
(Ord. No. 1772, 7-23-93)

7.204 General Building Setbacks.

Principal buildings must be set back a minimum of twenty (20) feet from arterial and major arterial streets rights-of-way.

(Ord. No. 1772, 7-23-93)

Section 7.300 Accessory Buildings and Uses.

7.301 Accessory Buildings.

A. All detached buildings, structures, or satellite earth stations must be located behind the front wall plane of the residence with the following additional setbacks:

1. Buildings, structures, or satellite earth stations less than seven (7) feet high, unless otherwise permitted, shall maintain a minimum of three (3) feet to a side or rear property line.
2. R-1 Districts-For each foot over seven (7) feet in height, the setback for that portion of the building height over seven (7) feet in height shall be increased by two (2) feet. (See Example B).
3. SR Districts-For each foot over seven (7) feet in height, the setback for that portion of the building height over seven (7) feet in height shall be increased by one (1) foot.
4. Maximum height of residential accessory buildings is fifteen (15) feet except in A-1 and SR districts which have a maximum building height of twenty (20) feet.
5. Any accessory building or structure, unless otherwise permitted, must maintain a minimum of ten (10) feet set back from the principal building or any other accessory structure.
6. Maximum height of an amateur radio tower is seventy-five (75) feet.
7. Fireplaces may encroach into the front, side, and rear setbacks a maximum of two-and-one-half (2 1/2) feet.
8. Bay windows may encroach into front, side, and rear setbacks a maximum of two-and-one-half (2 1/2) feet for a distance not to exceed ten (10) feet on any building elevation. The bay window must maintain a minimum of five (5) feet separation between it and any property line.

(Ord. No. 1772, 7-23-93)

7.302 Storage Sheds.

A. Storage sheds shall be limited to one (1) per lot; provided, however, that such shed shall be located in the side or rear yard of the property, can not be served by any utility, and all drainage there from must flow back onto the owner's property.

B. Storage sheds shall not be subject to rear and side yard setback requirements and must not exceed six (6) feet in height or be visible from either the public street or adjacent property. (See Example A).

(Ord. No. 1772, 7-23-93)

7.303 Reserved.

7.304 Home Occupations.

A. Home Occupations (Class I) are accessory uses in all residential districts. An occupation or profession is considered a home occupation when it:

1. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas;
 2. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;
 3. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation;
 4. Produces no offensive noise, vibration, smoke, dust, odors, heat, or glare beyond the boundaries of the property;
 5. Is clearly incidental and secondary to the use of the dwelling unit for residential purposes with storage for the use limited to a maximum of five (5) percent of the total floor area;
 6. Has no signs or other exterior evidence of its existence;
 7. A valid City sales tax and business license is maintained for business purposes;
 8. Activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;
- and
9. Any parking incidental to the home occupation shall be provided on site.

B. Home Occupations (Class II) are subject to conditional use permit in all residential districts. It is required when any of the following standards can not be met by the proposed home occupation:

1. Is conducted entirely from within the principal residence with no activity or storage in the garage or other accessory buildings, or in other outdoor areas;
2. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;
3. Does not have any customer traffic or more than one (1) commercial delivery vehicle a day coming to the residence related to the home occupation.

C. Except as may be provided by conditional use permit approval in conjunction with a Home Occupation (Class II), no accessory use shall include outdoor display or storage of any of the following listed items, when such items are visible or emit odor, dust, gas, noise, vibration, smoke, heat, or glare, beyond any boundary of the lot on which such items are displayed or stored:

1. Any building or landscaping materials.
2. Any machinery, construction trailers, parts, or appliances.
3. Vehicles which are unlicensed, inoperable, or registered to or owned by persons not residing on, or the guests of persons residing on the premises.
4. Any other chattel used for or intended for a commercial purpose or ultimate use other than to subject premises.

(Ord. No. 1772, 7-23-93)

7.305 Yard Sales.

Yard sales are permitted for no more than three (3) events of forty-eight (48) hours or less within a twelve (12) month period at the same residence or street address. No signage related to such events shall be placed in the public rights-of-way.

(Ord. No. 1772, 7-23-93)

Section 7.400 Off-Street Parking.

7.401 Purpose.

- A. To provide adequate parking to meet the needs of residents, employees, and business patrons.
- B. To prevent excess unused parking areas which encourage reliance on the automobile and discourage pedestrian use.
- C. To reduce the scale of parking areas through landscaping and by breaking them into smaller areas.

(Ord. No. 1772, 7-23-93)

7.402 General Requirements.

- A. Each parking space shall be at least ten (10) feet wide and twenty (20) feet deep, except that parking spaces at an angle of sixty (60) degrees or less may be nine (9) feet wide.
- B. Other requirements of aisle widths are contained in the City of Glendale Engineering Design Guidelines.
- C. All parking spaces and driveway areas serving such parking spaces shall be surfaced with concrete, asphalt, or paving blocks.
- D. Required parking shall be provided on-site or on contiguous lots.
- E. Square feet shall mean the gross floor area of the building.
- F. No part of any vehicle may overhang into a public sidewalk or within five (5) feet of a street curb where no sidewalk exists.
- G. All parked vehicles must comply with unobstructed view easement and sight distance requirements as identified in the City of Glendale Engineering Design Guidelines.
- H. Parking of commercial vehicles in residential districts is limited to one (1) commercial vehicle with a one (1) ton chassis, having a capacity of not more than ten thousand (10,000) pounds gross vehicle weight rating (GVWR).
- I. Landscaping and screening of parking lots shall be in accordance with the City of Glendale Landscape Ordinance (Chapter 19 of the City Code).
- J. Parking lots shall be designed in groupings no larger than 200 spaces. Larger lots shall be divided by buildings, plazas, or significant landscaped area oriented for pedestrian use.
- K. The parking or storage of construction related equipment, such as dump trucks, utility trailers, flatbed hauling trailers, cement mixers, ditch diggers, etc., shall be permitted for forty-eight (48) hours in a thirty (30) day period in a residential district, unless prohibited by other City ordinances. It is prohibited to have more than two (2) pieces of equipment on the property at one (1) time or to bring such equipment in for repairs or preventative maintenance. The only exception to this regulation would be when on-site construction is being performed by such equipment.

(Ord. No. 1772, 7-23-93)

7.403 Parking Requirements by Use.

USE	MINIMUM # OF SPACES	MAXIMUM # OF SPACES
Auditorium, Stadium, Public Assembly, Private Clubs, Health Clubs, Theaters	1:100 sq. ft. or 1:5 seats	no maximum

Auto Repair	2 spaces per service bay; plus 1 space per every 250 sq. ft. of retail or office area.	no maximum
Banks, Financial Institutions	1:250 sq. ft.	1:200 sq. ft.
Barber Shop or Beauty Shop	1:100 sq. ft.	no maximum
Churches	1:5 seats or 90 lineal inches of pew space	no maximum
Cocktail Lounge	1:100 sq. ft.	no maximum
Home Furnishings, Major Appliances	1:500 sq. ft.	1:400 sq. ft.
Hospitals	1:bed	no maximum
Manufacturing/Assembly Wholesale/ Warehouse	1:600 sq. ft.	1:300 sq. ft.
Mixed Uses	To be determined by Planning Director.	
Motels/Hotels Restaurant/Bar Banquet/Meeting Rooms	1:room 1:200 sq. ft. 1:200 sq. ft.	no maximum
Office, General, Professional Medical/Dental	1:300 sq. ft. 1:150 sq. ft.	no maximum
Indoor Recreation Facility Amusement Center or Arcades Batting Cages Bowling Alley	1:100 sq. ft. 1:100 sq. ft. 1:cage 4:lane plus accessory uses if separate outside entrances are provided.	no maximum
Outdoor Recreation Golf Driving Ranges Miniature Golf Courses Skating Rinks	1:tee space (10 lineal feet) 1:hole 1:200 sq. ft. 1:200 sq. ft.	no maximum
Regional Malls	1:225 sq. ft.	1:180 sq. ft.
Residential Single-family Multi-family Studio or 1 Bedroom 2 or more Bedrooms 1 Designated guest space for every 3 units.	2:unit-1 covered 2:unit-1 covered 1 space 2 spaces	no maximum
Restaurant-freestanding	1:100 sq. ft.	no maximum
Retail/Shopping Center (including up to 10% restaurant, health club, beauty shops . . . additional	1:250 sq. ft.	1:200 sq. ft.

percentages calculated at rate for each use)		
Retirement/Senior Housing/ Convalescent/Nursing/Congregate Care Home	.4:unit	no maximum
Schools		
Elementary	2:classroom or largest single public assembly area, whichever is greater.	
Jr. High	3:classroom or largest single public assembly area, whichever is greater.	
High School	7:classroom or largest single public assembly area, whichever is greater.	no maximum
College	10:classroom or largest single public assembly area, whichever is greater.	
Vocational/Technical	1:2 students	

(Ord. No. 1772, 7-23-93; Ord. No. 2028, § 1, 10-13-98)

7.404 Drive-Thru Requirements.

Notwithstanding any other provision of this section, additional vehicle storage spaces shall be provided for all uses having vehicle pick-up windows as follows:

A. A drive-thru lane with a minimum storage for six (6) vehicles shall be provided at twenty (20) feet per vehicle for all convenience uses except pharmacy related drive-thru lanes.

B. A pharmacy related drive-thru lane shall have a minimum storage for three (3) vehicles within twenty (20) feet per vehicle.

C. The drive-thru lane shall not encroach upon or block driveways or parking spaces.

(Ord. No. 1772, 7-23-93; Ord. No. 1959, § 1, 9-30-97)

Section 7.500 Standards for Uses Subject to Conditions.

7.501 Generally.

Pursuant to Section 3.403, applications for administrative reviews as authorized in this Zoning Ordinance or Amendments thereto, shall be filed on an application form with the required documentation specified on guidelines provided by the Planning Department with appropriate fees.

(Ord. No. 1772, 7-23-93)

7.502 Group Homes.

Adult Care Homes, Juvenile Group Homes, Group Homes for the Disabled, and Supervisory Care Facilities (for purposes of this Section 7.502, such uses are collectively referred to as “Group Homes”) shall be permitted, provided that:

A. No Group Home is located on a lot within one thousand three hundred twenty (1,320) feet, measured by a straight line in any direction, from the lot line of another Group Home;

B. Where legally required, the Group Home is licensed by, certified by, approved by, registered with, or under contract with a Federal, State, or local government and evidence of such is provided to the Planning Department within sixty (60) days of approval of the Planning Department;

C. No exterior change which would alter its residential character shall be made to the exterior of the building(s) and the grounds;

D. The location of the Group Home has been approved by the Planning Department; and

E. An administrative record of each Group Home shall be maintained with the Planning Department.

(Ord. No. 1772, 7-23-93; Ord. No. 2386, § 3, 6-22-04)

7.503 Seasonal Sales and Special Events.

Temporary sales or display of goods or special events are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event for a period not to exceed thirty (30) calendar days, as determined by the Planning Director. In making a determination, the Planning Director shall consider the following criteria:

A. The nature, scope, location, and manner of operation of the activity or event does not constitute a health or safety hazard to the public.

B. The goods or services displayed are customarily and traditionally related to a widely celebrated or observed seasonal or other activity, event, or holiday.

C. The goods and services are displayed in connection with fund raising or other activities by a school, church, social agency, or other community or nonprofit organization.

D. The activity or event is consistent with other uses permitted in the zone district.

E. The use does not interfere with pedestrian access-ways, fire lanes, driveways, landscape areas, or traffic visibility at driveway entries and street intersections.

F. Parking on the property is adequate to serve any existing permanent uses and the seasonal sale or special event use.

(Ord. No. 1772, 7-23-93)

7.504 Subdivision Model Home Complexes.

A model home complex may be provided in conjunction with residential subdivisions subject to the following:

A. The complex is used only to market homes being built in the subdivision in which it is located. Off-site home sales may be permitted subject to approval of a conditional use permit.

B. A model home complex plan is required which contains information as required by the Planning Director. The Planning Director shall review and approve the plan prior to the issuance of building permits for models.

C. Prior to occupancy as a single-family residence, all model homes must conform to all provisions of this ordinance and any temporary parking, office, lighting, fencing, or other similar improvements shall be removed.
(Ord. No. 1772, 7-23-93; Ord. No. 1954, § 2, 9-9-97)

7.505 Temporary Office or Construction Trailers.

A. Temporary office trailers are allowed only after building permits have been issued for the permanent building(s) to occupy the site.

B. May be authorized for use exclusively as a temporary office or construction shed incidental to a construction project for a period of twelve (12) months. The Planning Director may authorize extensions of additional six (6) month increments where construction within the project site is proceeding in a timely fashion.

C. May be authorized for use as a home sales office when building permits have been issued for a subdivision model home complex. The permit is not to exceed six (6) months. A development plan is required to be approved by the Planning Director.
(Ord. No. 1772, 7-23-93)

7.506 Wireless Communication Facilities.

A. Rooftop Mounted Antennas.

1. Roof mounted antennas may exceed the maximum height of the zoning district but shall not extend more than ten (10) feet above the existing building height.

2. The antenna array scale and visibility shall be minimized.

3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.

B. Building Mounted Antennas.

1. Antennas shall not extend above the height of the wall on which they are located or integrated.

2. Antennas shall not project more than twelve (12) inches from the existing building wall.

3. Equipment shelters may locate on the building roof if screened from view of surrounding properties.

C. Alternative Tower Structure.

1. The maximum additional height permitted by extension of an existing pole or by replacement pole is fifteen (15) feet.

2. The maximum increase in pole diameter from the existing pole by the replacement pole is fifty (50) percent.

3. The maximum width of the antenna array shall be four (4) feet.

(Ord. No. 2002, § 5, 4-28-98)

7.507 Corn Maze.

A temporary corn maze may be established subject to the following:

A. The activity is based on corn growing on the subject property.

B. A site plan to define access, parking dust control, temporary structures, signs and related improvements is approved by the planning department.

C. Authorization by property owner and identification of responsible parties.

D. Definition of the days and hours of operation.

E. The facility shall not operate more than forty (40) business days within any eight (8) week calendar period.

F. Any goods or services proposed for display or sales on the site shall be accessory to the special agricultural entertainment event.

G. The facility meets all fire and public safety requirements for a temporary event.

H. The area of the corn maze shall be a minimum of five (5) acres but not exceed twelve (12) acres.

I. Any temporary structures must be removed at the end of the operations.
(Ord. No. 2166, § 2, 10-24-00)

7.510 Adult Businesses.

A. Findings, Purpose and Intent. The council makes the following findings and provides the following guidelines for the construction, interpretation and administration of this section:

1. Based on the “Adult Business Factual Record and Studies” for zoning ordinance test Amendment Z-99-07 which the council had before it and which is on file with the planning department, the council finds:

(a) Sexually oriented (adult) businesses cause secondary effects on the community which are detrimental to the public health, safety and welfare, including unlawful and unhealthy activities; unlawful sexual activities, including public sexual indecency and prostitution; sexual encounters of a casual nature; and risk of spread of sexually transmitted and possibly fatal diseases.

(b) Areas of the community surrounding adult businesses are beset by higher incidences of sexually related crimes, street crime, and property crimes; greater demand on police resources; lower property values; litter from sexual devices, materials and packaging; and other problems.

(c) Incidents are reported of lack of strict age verification procedures and of admission of underaged juveniles as patrons into an adult entertainment establishment.

(d) Adult businesses require reasonable locational restrictions and spacing requirements to protect residential areas and other uses which are frequented by children from the documented negative secondary effects which occur with these businesses and to protect and preserve the public health, safety and welfare.

(e) Preventing concentration of adult businesses in proximity to each other and on the same site or in the same building is a reasonable means to prevent intensification of negative secondary effects from these businesses in the immediately surrounding area and on the community generally.

(f) Establishing regulations on the location of adult businesses will disperse any secondary effects; allow more effective utilization of police resources; allow more effective law enforcement monitoring of the adult businesses and prevention of illegal negative secondary effects of adult businesses; and will facilitate enforcement of the provisions of this zoning ordinance and other state and local laws, thereby furthering the substantial governmental interest in protecting the public health, safety and welfare.

2. It is the intent of this section to regulate the location of adult business establishments so as to protect and promote the health, safety, and general welfare of the citizens of the city and its visitors, and to establish reasonable and uniform regulations to prevent the concentration of adult businesses and their secondary effects.

3. This section has neither the purpose, nor effect of imposing a limitation or restriction on the content of any communications or communicative materials, including sexually oriented business.

4. It is not the purpose or intent of this section either to restrict or deny lawful access by adults to sexually oriented materials or to deny accesses by the distributors of sexually oriented materials to their intended market.

5. It is not the purpose or intent of this section to impose judgment on the content or merits of any constitutionally protected form of speech or expression.

B. Prohibited locations of any type of adult use or sexually oriented business:

1. An operator of a sexually oriented business is in violation of this ordinance if the business is operated in a zoning district, which does not expressly permit that type of adult use in said zoning district.

2. In addition to being located in a proper zoning district, an operator commits a violation if the adult business is operated within one thousand (1,000) feet of an existing:

- (a) Church;
- (b) Public or private school;
- (c) Public park;
- (d) Agricultural or residentially zoned property;
- (e) Child care center;
- (f) Designated historic district; or
- (g) Other adult business.

3. The measurement of the one thousand (1,000) foot distance for the purposes of subparagraph 2 above, shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of an existing church, school, child care center, or adult business, or from the boundary line of a public park, agricultural or residentially zoned property or designated historic district, to the nearest property line of the property sought to be used as a sexually oriented business.

4. The measurement of the one thousand (1,000) foot distance for the purposes of subparagraph 2 above shall also include churches, schools, child care centers, agricultural or residentially zoned properties, public parks, or other adult uses which are located in an adjoining city or county which are within the one thousand (1,000) foot distance of the nearest property line of the property sought to be used for an adult use or sexually oriented business within the City of Glendale.

5. A person commits a violation if they cause or permit the establishment or operation of more than one (1) adult use or sexually oriented business in the same building or structure, or on any portion of the site.

C. Submittal or application for adult use or sexually oriented business:

1. Application for adult business shall be submitted to the planning department for review. The application shall include a narrative statement describing the nature of the business for determination of conformity with a listed adult business use.

The application shall also include a site plan and Maricopa County assessor parcel map clearly identifying surrounding properties with depiction of the required distances from the uses detailed in paragraph B of this section. This application shall state the distance from each of the uses identified in paragraph B of this section.

2. Review of site application for completeness of information shall be completed within ten (10) days of the submission of the application. The applicant will be notified by first class mail if the application is complete or requires additional information.

D. Provisions for existing nonconforming uses:

1. An adult business otherwise lawfully operating prior to the adoption of this ordinance, that was lawfully established and maintained under prior zoning ordinance provisions within the one thousand (1,000)-foot distance regulation of subsection B above, shall be deemed a legal nonconforming use. Such nonconforming use shall not be increased, enlarged, extended or altered except the use may be voluntarily changed by the operator to a conforming use within the property's zoning district which meets all other applicable requirements of city.

2. If two (2) or more adult businesses are located within one thousand (1,000) feet of one another and otherwise lawfully operating, the adult business which was first established and continually operating is deemed the conforming use and the later established adult business is deemed the nonconforming use. Whether the later established adult business is entitled to be established or maintained as a legal, nonconforming use shall be determined under the requirements of D.1. above, Section 1.400, and state law.

(Ord. No. 2089, § 3, 7-27-99)

Section 7.600 Wireless Communication Facilities.

7.601 General Provisions.

A. All wireless communication facilities shall have an identification plaque no larger than 12 inches by 12 inches permanently affixed which clearly identifies the name, address, and emergency phone number of the provider. No other identification or sign as defined by the Zoning Ordinance is permitted on monopoles or related facilities.

B. The minimum setbacks for the zoning district shall apply to all towers, equipment shelters, and accessory buildings. The dimensions of the entire lot or parcel shall apply and not the dimensions of the leased area.

C. Adequate screening from off-site views shall be required as determined at the time of Design Review.

D. Any monopole, tower, or alternative tower structure which is not in use for six (6) months shall be removed by the property owner. The removal shall occur within ninety (90) days of the end of such six (6) month period. If the alternative tower structure includes an extension or replacement of the original structure, the structure shall be returned to the original height and condition.

(Ord. No. 2002, § 5, 4-28-98)

7.602 Monopoles.

A. New monopoles must be separated by a minimum distance of one-quarter (1/4) mile from any other monopole.

B. Monopole must be setback from residential zoned properties a minimum distance of twice the height of the tower.

C. Monopoles must be setback from any arterial or major arterial street a minimum of one hundred and fifty (150) feet.

D. Monopole towers and antennas shall not be illuminated or display warning lights unless required by the Federal Aviation Administration or other federal or state authority.

E. Any access road to a monopole site shall be paved.

F. One (1) paved parking space shall be provided on site unless otherwise provided on adjacent property.

G. All new monopoles over fifty (50) feet in height shall be constructed to allow for collocation by other wireless providers. The applicant shall demonstrate that the engineering of the tower and the placement of ground mounted facilities will not preclude other providers. The owner of the proposed tower must certify in writing that the tower will be available for use by other wireless communication providers on a economically reasonable and non-discriminatory basis.

(Ord. No. 2002, § 5, 4-28-98)

7.603 Amendments to Existing Monopoles.

A. Existing monopoles include all wireless related monopoles or towers approved or amended through the special use district (SUD) prior to May 28, 1998.

B. An amendment to existing monopole is required to add additional antennas, add height to the monopole, replace the monopole with a larger pole, or add additional ground equipment to the facility.

C. Any amendment to an existing monopole requires approval of a conditional use permit as outlined in Section 3.902F.

(Ord. No. 2249, § 1, 3-26-02; Ord. No. 2264 § 1, 6-5-02)

Section 7.700 Freeway Development Standards.

7.701 Purpose.

The purpose of this section is to provide the appropriate and necessary off-site and on-site improvements to protect and enhance the livability of properties near the Agua Fria Freeway (State Route 101).

(Ord. No. 2127, § 1, 3-28-2000)

7.702 General Requirements.

A. All residential development and other noise sensitive land uses located within one thousand three hundred twenty (1,320) feet of the Agua Fria (Loop 101) right-of-way boundary shall comply with the provisions of this section.

B. Residential development shall include single residences, multi-residences and mobile home residences.

C. Noise sensitive land uses shall also include churches, schools, child care facilities, nursing homes and similar facilities.

D. All residential development and other noise sensitive uses within one thousand three hundred twenty (1,320) feet of the Agua Fria Freeway right-of-way boundary shall submit a sound attenuation plan prior to rezoning, preliminary plat, lot split, or design review approval.

(Ord. No. 2127, § 1, 3-28-2000)

7.703 Sound Attenuation Plan.

A. The sound attenuation plan shall include a noise analysis of the property that details the projected freeway noise levels based on the most current projected traffic volumes available from the Maricopa Association of Governments. The time period for the projected traffic volumes and traffic characteristics shall be a minimum of fifteen (15) years from the date of the submittal.

B. The sound attenuation plan shall include the proposed attenuation measures needed to guarantee that the projected exterior noise levels on the property shall not exceed the (Leq) sixty-two (62) dBA noise level. This noise measurement method is the method used by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA).

C. The sound attenuation plan shall include a certification by an acoustical engineer or registered architect as to the projected noise levels on the site and that the sound attenuation measures will meet the (Leq) sixty-two (62) dBA noise level.
(Ord. No. 2127, § 1, 3-28-2000)

7.704 Sound Attenuation Improvements.

A. Sound attenuation improvements shall include all measures necessary to meet the required standard including freeway noise walls and earthen berms.

B. The sound attenuation measures shall utilize designs that minimize the visual impact on the site with appropriate use of colors and materials. The landscape plan proposed for any site subject to the freeway development standards shall include additional landscape treatments to minimize the visual impacts of walls or berms.
(Ord. No. 2127, § 1, 3-28-2000)

7.705 Administration.

A. The City Engineer or designee will review the sound attenuation plan and its proposed improvements for compliance with the intent of this section.

B. The approval of the sound attenuation plan is required prior to any rezoning, preliminary plat, lot split, or design review approval.

C. If the City Engineer or designee determines that the sound attenuation plan does not meet the intent of this section that decision may be appealed to the Planning Commission consistent with the procedures outlined in Section 3.607.
(Ord. No. 2127, § 1, 3-28-2000)